MATRIMONIAL SUPPORT FAILURES: REASONS, PROFILES AND PERCEPTIONS OF INDIVIDUALS INVOLVED

VOLUME 2

TECHNICAL REPORTS

by

The Canadian Institute for Research
Calgary, Alberta, Canada

Prepared for

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FOREWORD

There is little reliable information about the extent to which separated and divorced husbands (or, but rarely, wives) do or do not pay for the support of their separated and divorced spouses and for the support of the children who are dependent upon the couple; about the reasons why some husbands pay and others do not; or about the consequences of the burden of payment, on the one hand, or of the failure to pay on the other. The reports contained in these two volumes will materially add to the available information on these subjects, and the Institute of Law Research and Reform is therefore pleased to issue them. We hope that the reports will be of interest to a diverse audience: those who make decisions about legal and social policy, professionals in the areas of family law, the administration of justice, social policy, social assistance, social work, and those who suffer from the problems of payment and non-payment.

The technical reports in Volume 2 were prepared by the researchers, The Canadian Institute for Research, who were left free to analyze and interpret the data discovered by their research. The summary report in Volume 1 was prepared jointly by the researchers and the project's Steering Committee; it summarizes the effect of the technical reports for the benefit of those who do not read the technical reports and for the benefit of those who wish to have informed access to them. Opinions expressed in the reports are accordingly the opinions of those who expressed them and are not necessarily the opinions of the Institute.

For reasons of modesty, the acknowledgements later in this volume cannot recognize the work of the Steering Committee (in which my participation was for liaison and business purposes) and the researchers. The Steering Committee supervised the design and implementation of the complex and ambitious research programme and the preparation of the reports, giving generously of their time and expertise over a period in excess of 2 years, and the project would not have been possible without them. Mr. Rick Powell, the principal investigator, and his colleagues carried through with distinction the research work itself and its analysis and the preparation of the reports.

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March 1981

ACKNOWLEDGMENTS

This study was funded by grants from the Welfare Grants Directorate, Health and Welfare, Canada (Project # 4558-24-4), Alberta Social Services & Community Health, and The Institute of Law Research and Reform, Edmonton.

We are grateful to Health and Welfare, Canada for partial funding of this project as well as for giving us the expertise of one of their senior policy analysts as a member of our Steering Committee.

A study of this magnitude requires the contributions of many people. We are grateful to J. Evariste Theriault of Health and Welfare, Canada, Dr. Sharon Sutherland of Carlton University and Ms. Maureen O'Neil of Status of Women Canada for their advise and encouragement throughout the life of this study.

The study was also dependent upon the cooperation of the administrative and clerical staff of the courts of Alberta. We are grateful to Mr. Ross Paisley, Q.C., Deputy Attorney General for giving us access to Family Court records and for giving us the expertise of one of his senior solicitors as a member of our Steering Committee. The administrative and clerical staff of the Supreme Courts (now the Courts of Queen's Bench) and Family Courts in Edmonton, Calgary, Lethbridge and Grande Prairie who freely offered us help and very courteous cooperation are too numerous to be mentioned. We are indebted to them. We are specially thankful to Mr. Brian Thomson, Clerk of the Edmonton Family Court, Mr. Ken Falle, Clerk of the Calgary Family Court and Mrs. Karen DeGroot, Clerk of the Court, Divorce Section, Court of Queen's Bench, Edmonton for their assistance.

The cooperation and assistance of Alberta Social Services and Community Health, especially of Mr. Stanley Mansbridge, Chief Deputy Minister and Mr. Don Junk, Assistant Deputy Minister, is gratefully acknowledged. The department not only co-sponsored and partially funded this research but also provided the expertise of two of its senior staff members as Steering Committee members for this study.

Thanks are also due to Professor Gordon Bale of Queen's University, who was a member of the Steering Committee until his departure from the Institute in 1979. We thank Ms. Tillie Shuster for editorial suggestions and proofreading the entire report.

Finally, we thank all those men and women in Edmonton and Calgary who answered the questionnaires for this study. Without their cooperation this study would not have seen the light of day.

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SUPREME COURT RECORDS STUDY

TECHNICAL REPORT

SUPREME COURT RECORDS STUDY

1. INTRODUCTION

The Court of Queen's Bench (referred to as the Supreme Court in this report)[1] maintains records of all the divorce actions adjudicated through the Court. Each file contains a copy of the Registration of Divorce form which is filed with Statistics Canada after the case is closed. Information in this section of the report was drawn from the divorce files and registration forms of cases filed in Calgary and Edmonton Supreme Courts during the calendar years 1972 to 1979 inclusive.

1.1 PURPOSES OF THE SUPREME COURT RECORDS STUDY

Information contained in the Supreme Court records related to three study purposes:

a. to identify the incidence of maintenance orders in Alberta;
b. to identify the trends of maintenance orders in Alberta;
c. to identify the characteristics of Supreme Court maintenance orders.

1.2 RECORDS POPULATION

The population of interest in this study consisted of divorce files located in the Calgary and Edmonton Supreme Courts, which were initiated between 1972 and 1979. Discontinued cases or cases which had not progressed to the Decree Absolute were excluded. Table 1 presents the total number of files located in each court by year.

1.3 SAMPLING PROCEDURE

The numerical listings of Calgary and Edmonton court files served as the sampling frame for the records survey. Using this frame, researchers were instructed to draw a stratified quota sample of 25 maintenance order files per year. In Calgary, the sample was drawn using a table of random numbers; in Edmonton a systematic random selection process was used.

Researchers sampled cases from each year until they filled the quota of 25 maintenance order cases. However, the number of cases which did not have maintenance orders varied from year to year. This variation was proportionate to the actual occurance of "maintenance" and "non-maintenance" files, within the limits of sampling error.

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[1] In July, 1979, Alberta Supreme Courts were amalgamated with District Courts to form the Alberta Court of Queen's Bench. As almost all of the records used in the study were Supreme Court records, the report will refer to what is now the Court of Queen's Bench, as the Supreme Court.

The number of divorce cases sampled by year is shown in Table 2. There are some discrepencies between the quotas set and the actual number of cases sampled. These discrepencies may have been the result of:

a. the files not being in strictly chronological order;
b. key-punch errors on the Statistics Canada tape which contained the information on the date of petition.

Table 1

Population of Supreme Court Records by Court and Year

Year of Petition	NUMBER OF DIVORCE FILES BY COURT	
	CALGARY	EDMONTON
1972	2,233	2,371
1973	2,391	2,799
1974	2,711	2,937
1975	2,897	3,213
1976	3,065	3,227
1977	3,042	3,360
1978	3,364	3,793
1979	3,622	4,258
TOTAL POPULATION	23,325	25,958

1.4 DATA COLLECTION PROCEDURES

A data file for each case was created from information retrieved from two sources. A checklist, developed by CIR and approved by the Study's Steering Committee was used to collect information from the files. This checklist appears in Appendix A.

Table 2

Supreme Court Records Sample by Court and Year

Year of Petition	Number of Divorce Files by Court			
	Calgary		Edmonton	
	Maintenance	No Maintenance	Maintenance	No Maintenance
1972	23	19	25	16
1973	26	16	25	16
1974	24	20	26	22
1975	26	21	23	38
1976	25	29	25	31
1977	25	26	25	24
1978	25	38	22	29
1979	24	25	29	17
Total Court Sample Size	198	194	200	192

The personal, marital and divorce characteristics of each case were listed on a Registration of Divorce form, filed with Statistics Canada upon completion of the case. This data was retrieved from a computer tape from Statistics Canada and added to the information gained from the file search. The computer tape did not contain information on cases filed after April 1979 (65 cases in total). Most of this information was retrieved manually.

1.5 DATA ANALYSIS PROCEDURE

Programs available in the Statistical Package for the Social Sciences (SPSS) were used to analyze the data. A description of the modifications made on the data and the statistical procedures used, follows.

1.5.1 Weighting

A stratified sampling design was used to facilitate a trend analysis of the findings. However, this design over-represented cases from earlier years and under-represented cases from later years. In order to construct more valid estimates of the population parameters, weighting factors were applied. These factors are presented in Table 3.

Table 3

Sample Weighting Factors

Year of Award	Weighting Factor	
	CALGARY	EDMONTON
1972	.78	.73
1973	.81	.86
1974	.95	.87
1975	.95	1.08
1976	1.03	.99
1977	1.04	1.03
1978	1.14	1.32
1979	1.33	1.13

It should be noted that in the presentation of results the sample size may vary slightly from variable to variable bacause of the mathematical rounding of numbers involved in weighting. However, as the changes were in every case slight, they have been disregarded in the presentation of the results.

1.5.2 Indexing for Inflation

Many of the questions of interest to this study concern the relationship between a number of socio-demographic variables and the amounts of awards, and, in some cases, the incomes of the spouses have been indexed using the Consumer Price Index (for Edmonton and Calgary) from Statistics Canada. As the Consumer Price Indices for both cities paralleled one another closely, a mean for the two cities was used for the purposes of this study.

Table 4

Weighting Factors from the Consumer Price Index

Consumer Price

Year of Award	Index Weight Factor
1972	1.82
1973	1.67
1974	1.54
1975	1.42
1976	1.31
1977	1.18
1978	1.07
1979	1.00

1.6 INFERENCES FROM THE FINDINGS

One of the aims of choosing a random sample is to arrive at results which can be generalized to the whole population. The conclusiveness of the findings is dependent upon the randomness of the sampling procedure, the number of cases used in the statistical analysis and the proportion of missing cases. The sampling procedure used was random and this would provide no impediments to valid generalizations. In most instances the number of cases analyzed was sufficiently large to discover differences of associations of practical significance, if, in fact they were present in the population. However, the large amount of "missing data" for many variables presents real difficulties in making generalizations as there may have been unknown biases which influenced whether data was present in the files or not. In such cases, the use of statistical tests can only be suggestive rather than conclusive.

2. DESCRIPTION OF THE SOCIO-DEMOGRAPHIC, MARITAL, DIVORCE AND MAINTENANCE CHARACTERISTICS OF EDMONTON AND CALGARY SUPREME COURT

The results in this section have been broken down by:

a. whether or not the divorce involved dependent children, and
b. whether the case involved a maintenance order.

As there were relatively few differences between the Calgary and Edmonton samples, the two have been combined in the initial presentation of data. The Calgary and Edmonton samples are compared at the end of this section.

To permit comparisons across columns all "missing" cases and cases which were not applicable have been ignored in the calculation of the percentages. Nonetheless, the proportions of such cases have been indicated below each table as they reflect upon the validity of the findings.

2.1 INDIVIDUAL CHARACTERISTICS OF SPOUSES

The characteristics presented in Table 5 include the place and date of birth, employment status, income and dependence upon social assistance of both spouses. It should be noted that data on employment status, income and social assistance apply only to cases which had maintenance orders.

2.1.1 Place of Birth of Spouses (Table 5.1)

Nearly half of the total sample of spouses (46%) were born in Alberta, and another 20% were born in the other prairie provinces. Twenty-two percent of the sample were born in other parts of Canada, or outside the country. There was very little difference among the categories, and such differences as there were, should be discounted because of the number of missing cases.

2.1.2 Year of Birth of Spouses (Table 5.2)

The majority of both husbands (59%) and wives (71%) were born after 1940.

2.1.3 Employment Status of Spouses at the Time of Petition (Table 5.3)

Most of the husbands (96%) were employed in some capacity at the time of the petition as were 54% of the wives. As roughly one in five files did not contain this information, comparisons amoung categories are somewhat suspect.

2.1.4 Income of Spouses (Table 5.4)

The median income category for husbands was $1,001 to $1,500 per month (35% of all cases for which there was information). The apparent difference between husbands with and without dependent children may not be real given the large number of missing cases.

The median income of wives was less than $1,000 per month (79% of all cases for which there was information).

2.1.5 Spouses on Social Assistance at the Time of Petition (Table 5.5)

Very few husbands (about 1%) were on social assistance at the time of petition. This corresponds to 31% of the wives for which there was information. Women who had dependent children were twice as likely to receive social assistance at the time of petition as those without (32% and 17% respectively). However, the reader is cautioned that these percentages may be an inaccurate reflection of the true proportions of the population, given the large amount of missing information.

Table 5

Individual Characteristics of Spouses .

Characteristics	Dependent Children				No Dependent Children			
	Maintenance		No Maintenance		Maintenance		No Maintenance	
5.1 Place of Birth of Spouse	Husband	Wife	Husband	Wife	Husband	Wife	Husband	Wife
	(n=288) %	(n=284) %	(n=101) %	(n=100) %	(n=34) %	(n=34) %	(n=192) %	(n=191) %
Alberta	45.1	50.7	33.7	42.0	50.0	55.9	44.8	46.6
British Columbia	6.6	6.7	3.0	6.0	8.8	5.9	3.1	5.8
Saskatchewan	16.0	13.0	20.8	15.0	5.9	5.9	8.9	14.1
Manitoba	3.8	5.3	7.9	9.0	8.8	11.8	7.3	4.7
Ontario	5.9	6.7	6.9	10,0	8,8	5.9	9.4	6.8
Other Canada	22.6	17.6	27.7	18.0	17.6	14.7	26.6	22.0
No Information	18.4	19.5	38.7	39.3	22.7	22.7	26.4	26.8
5.2 Date of Birth of Spouse	(n= 339) %	(n=342) %	(n= 158) %	(n=163) %	(n= 44) %	(n=45) %	(n= 245) %	(n=248) %
earlier than 1920	2.4	0.9	6.3	1.4	9.1	6.7	6.5	5.6
1920 - 1929	8.6	5.8	14.6	11.5	31.8	24.4	14.7	10.1
1930 - 1939	30.4	22.2	27.8	23.0	4.5	15.6	12.7	11.2
1940 - 1949	42.8	46.2	34.8	48.6	22.7	11.1	35.1	32.3
1950 - 1959	15.9	24.9	16.5	25.7	31.8	42.2	31.0	40.3
No Information	4.0	3.1	4.2	1.2	--	--	6.1	5.0

5.3	Employment Status of Spouses at Time of Petition	Husband	Wife	Husband	Wife
		(n=287) %	(n=297) %	(n=35) %	(n=34) %
	Full-time	90.9	52.8	85.7	47.1
	Part-time	0.7	3.4	2.9	8.8
	Seasonally	0.3	0.3		
	Self-employed	4.2		5.7	5.9
	Student	1.3	2.0		
	Unemployed	3.5	38.4	5.7	35.3
	Other		3.0		2.9
	No Information	18.7	15.9	20.5	22.7

Table 5, cont.

Characteristics	Dependent Children		No Dependent Children	
	Husband	Wife	Husband	Wife
5.4 Monthly Income of Spouses	(n=211)	(n=166)	(n= 28)	(n= 19)
Less than 1000	15.2	78.9	17.9	78.9
1001 to 1500	37.0	18.1	21.4	10.5
1501 to 2000	25.6	2.4	25.0	
2001 to 3000	15.6	0.6	21.4	5.3
more than 3000	6.6		14.3	5.3
No Information	40.2	53.0	36.4	56.8
5.5 Spouses on Social Assistance at Time of Petition	(n=219)	(n=195)	(n=26)	(n=18)
Yes	0.9	32.3	3.8	16.7
No	99.7	67.7	96.2	83.3
No Information	38.0	44.8	40.9	59.1

2.2 MARRIAGE CHARACTERISTICS

The marriage characteristics in Table 6 include the place, date and duration of the marriage, the spouse's previous marital status, and the number of dependent children at the time of petition.

2.2.1 Place of Marriage (Table 6.1)

Table 6.1 indicates that about two-thirds (68%) of the total sample were married in Alberta. There was no notable difference among the four categories as to the place of marriage.

2.2.2 Date of Marriage (Table 6.2)

Forty-three percent of the total sample were married after 1970. There were some differences among the four categories; however, these do not signify much because the dates of petition for divorce range over an 8 year period.

2.2.3 Duration of Marriage (Table 6.3)

This variable was calculated by subtracting the date of marriage from the data of petition for divorce. The mean duration of marriage for the entire sample was 10.5 years; (the standard deviation was 8.3). There was very little difference between: (a) those with dependent children and a maintenance order (mean 11.1 years), (b) those with dependent children but with no maintenance order (mean 11.6 years) and (c) those without dependent children but with a maintenance order (mean 11.0 years). The mean duration of marriage for cases without dependent children and no maintenance order was significantly lower than the other categories (mean 8.7, $F = 3.97$, $.05 < p$).

About one quarter of those with dependent children (24%) filed for divorce within five years of marriage. This figure corresponds to about half (54%) of those without dependent children.

2.2.4 Number of Dependent Children (Table 6.5)

The modal number of dependent children was two, (making up 39% of those with maintenance orders and 42% of those without). The next largest category was couples with one child. The number of dependent children appeared to make no difference as to whether a maintenance order was granted or not.

CHARACTERISTICS	Dependent Children		No Dependent Children	
	Maintenance	No Maintenance	Maintenance	No Maintenance
6.1 PLACE OF MARRIAGE	(n= 324) %	(n= 148) %	(n= 38) %	(n= 230) %
British Columbia	4.6	4.1	7.9	5.6
Alberta	69.4	66.2	71.1	67.8
Saskatchewan	6.8	5.4	--	5.7
Manitoba	3.1	4.7	7.9	3.9
Ontario	5.9	8.1	5.3	8.3
Other Canada	2.5	4.1	--	2.6
Out of Country	7.7	7.4	7.9	6.1
No information	8.2	10.3	13.6	11.9
6.2 DATE OF MARRIAGE	(n= 351)	(n=164)	(n=46)	(n= 258)
1978 - 1975	7.1	5.5	30.4	23.6
1974 - 1970	23.9	28.0	34.8	36.8
1969 - 1965	27.6	23.2	13.0	18.2
1964 - 1960	17.1	12.8	--	3.5
1959 - 1955	16.0	17.1	--	3.5
1954 - 1950	4.8	6.7	4.3	5.8
1949 or earlier	3.4	6.7	17.4	8.5
No information	0.8	0.6	--	1.1
6.3 DURATION OF MARRIAGE	(n= 347)	(n= 164)	(n= 45)	(n= 247)
1 - 2 years	5.8	10.4	28.9	21.9
3 - 5 years	19.3	14.0	26.7	32.0
6 - 10 years	30.0	26.8	17.8	24.2
11 - 15 years	21.3	20.1	--	2.8
16 + years	23.6	28.7	26.7	19.0
No information	1.7	0.7	--	5.7

CHARACTERISTICS	Dependent Children				No Dependent Children			
	Husband	Wife	Husband	Wife	Husband	Wife	Husband	Wife
6.4 STATUS OF SPOUSE AT THE TIME OF MARRIAGE	(n=349) %	(n=348) %	(n=165) %	(n=166) %	(n=46) %	(n=46) %	(n=258) %	(n=259) %
Never married	90.5	89.9	89.6	86.1	82.6	76.0	86.0	79.5
Widowed	--	0.6	1.2	1.2	2.2	4.3	3.1	5.0
Divorced	9.5	9.5	9.1	12.7	15.2	19.6	10.9	15.4
No information	1.1	1.4	--	--	--	--	1.1	0.8

6.5 NUMBER OF DEPENDENT CHILDREN	Maintenance	No Maintenance
	(n=353) %	(n=165) %
One	35.4	37.0
Two	38.8	41.8
Three	18.4	14.5
Four	7.4	6.7
No information	--	--

2.3 PARTICULARS OF THE DIVORCE

The information pertaining to the particulars of divorce included: the source, date, filing agency, contestation and alleged grounds of petition; residence and age of the spouses at the time of divorce; the time taken to process the divorce, and the custody settlements arising from the divorce.

2.3.1 Petitioner (Table 7.1)

In most cases, the petitioner was the wife whether or not there were dependent children or there was a maintenance order or not. It is interesting to note that a maintenance order was significantly less likely to be awarded if the petitioner was the husband. This was true both in the instance of dependent children ($x^2 = 30.4, .001 > p$) and in the case of no dependent children ($x^2 = 5.6, .02 > p$).

2.3.2 Petition Filed by (Table 7.2)

In almost all cases the petition was filed by a private law firm (97% of the entire sample). There were no notable differences among the four categories.

2.3.3 Contestation of Petition (Table 7.3)

There was no contestation of petition in 88% of the total sample. There was very little variation from this figure whether or not maintenance awards were granted or whether or not dependent children were involved.

2.3.4 Residence of Spouse at the Time of Petition (Table 7.4)

Ninety percent of the husbands and 92% of the wives were resident in Alberta. There was not much difference among the categories. The only difference of some note was that wives who were resident in Alberta tended to have maintenance awarded more so than non-residents ($\text{chi}^2 = 10.1, .01 > p$). However, this difference should be regarded as suggestive because of the large proportion of missing cases.

2.3.5 Age of Spouses at the Time of Divorce (Table 7.5)

The mean age of the husbands are given below in Table 10.

Table 10

Mean Age of Husbands by Presence of Dependent Children and Maintenance Awards

		Mean	Standard Deviation	No. of Cases
Dependent Children	Maintenance Award	35.3	8.6	339
	No Award	37.2	10.1	144
No Dependent Children	Maintenance Award	38.4	14.0	38
	No Award	34.8	11.8	218

The mean age of husbands did not vary much from category to category. The overall mean was 35.7 years.

The mean age of wives again shows no difference of any significance.

Table 11

Mean ages of Wives by Presence of Dependent Children and Maintenance Awards

		Mean	Standard Deviation	No. of Cases
Dependent Children	Maintenance Award	32.3	7.9	331
	No Award	33.5	8.9	145
No Dependent Children	Maintenance Award	36.9	14.2	39
	No Award	32.1	11.2	223

2.3.6 Alleged Grounds for Divorce (Table 7.6)

The most common alleged gounds for divorce for all the categories were: mental cruelty, physical cruelty and adultery. Cases with dependent children (with and without maintenance orders) and cases with no dependent children which contained a maintenance order all demonstrated the same pattern. Physical and mental cruelty were cited less often as alleged grounds for divorce in cases which did not involve maintenance orders and which did not have maintenance orders.

The only frequently encountered grounds for divorce relating to marriage breakdown was separation for more than three years.

2.3.7 Duration of Proceedings from Petition to Nisi (Table 7.7)

In over 90% of all divorce cases, the duration of proceedings from the date of petition to the date of the decree nisi was a year or less. There was little difference among the categories.

2.3.8 Divorce Cases with Custody Awards (Table 7.8)

Three-quarters of the divorce cases with maintenance orders had custody awards. This corresponds to 38% of the cases which did not have maintenance orders.

2.3.9 Custody Awards (Table 7.9)

Custody was awarded to the petitioner in 86% of the cases with maintenance orders in which custody was specified. In cases with no maintenance orders, the corresponding figure was 67%.

Table 7

PETITIONER	DEPENDENT CHILDREN		NO DEPENDENT CHILDREN	
	Maintenance	No Maintenance	Maintenance	No Maintenance
7.1 Petitioner	(n=348) %	(n=157) %	(n=46) %	(n=260) %
Husband	13.8	35.7	17.4	36.5
Wife	86.2	64.3	82.6	63.5
No Information	1.4	4.8	--	0.4
7.2 Petition Filed By:	(n=353) %	(n=163) %	(n=44) %	(n=261) %
Private Law Firm	96.6	98.8	96.5	97.3
Petitioner	1.1	0.6	0.0	2.3
Legal Aid	2.3	0.6	3.5	0.4
No Information	--	1.2	--	--
7.3 Contestation of Petition	(n=354) %	(n=162) %	(n=44) %	(n=259) %
No Contest	84.7	85.1	79.5	95.7
Initial Contest	7.9	4.9	9.1	1.9
Contest to Discovery	7.1	9.9	11.3	2.3
Contest to Trial	0.3	0	--	--
No information	--	1.8	--	0.8

Table 7, cont.

CHARACTERISTICS	DEPENDENT CHILDREN				NO DEPENDENT CHILDREN			
	Maintenance		No Maintenance		Maintenance		No Maintenance	
	Husband	Wife	Husband	Wife	Husband	Wife	Husband	Wife
7.4 Residence of Spouse at Time of Petition	(n=287) %	(n=291) %	(n=99) %	(n=97) %	(n=31) %	(n=34) %	(n=192) %	(n=198) %
Alberta	91.3	95.9	91.9	89.7	83.9	97.1	88.5	87.9
Other Canada	8.7	4.1	8.1	10.3	16.1	2.9	11.5	12.1
No Information	18.7	17.6	40.0	41.2	29.5	22.7	26.4	24.1
7.5 Age of Spouse at time of Divorce	(n=348) %	(n=349) %	(n=163) %	(n=143) %	(n=46) %	(n=46) %	(n=248) %	(n=252) %
18 - 24 years	7.5	14.6	6.1	15.3	19.6	26.1	17.7	23.0
25 - 29 years	19.8	23.8	22.1	25.9	15.2	10.9	21.4	30.0
30 - 39 years	39.4	40.4	35.6	27.3	15.2	8.7	29.4	20.6
40 - 49 years	25.6	14.0	23.3	23.8	23.9	26.1	12.9	12.7
50 + years	7.5	7.2	12.9	7.7	26.1	28.3	18.5	14.7
No information	1.4	1.1	1.2	13.3	--	--	5.0	3.4

Table 7, cont.

CHARACTERISTICS	DEPENDENT CHILDREN		NO DEPENDENT CHILDREN	
	Maintenance	No Maintenance	Maintenance	No Maintenance
7.6 Alleged Grounds for Divorce *	(n=353) %	(n=165) %	(n=44) %	(n=261) %
Marital Offense				
Adultery	51.3	37.6	38.6	51.7
Homosexual Act		0.6		0.4
Subsequent Marriage	0.3			
Physical Cruelty	56.4	59.4	61.4	33.3
Mental Cruelty	59.2	65.5	70.4	37.2
Marriage Breakdown				
B1 Imprisonment more than three years	0.3			
B2 Addiction to Alcohol	2.8	2.4	2.3	1.5
B3 Marriage not Consummated				0.4
B4 Separation of more than 3 yrs.	17.3	19.4	9.1	23.4
B5 Desertion for more than 5 yrs.	0.6	1.8		2.7
B6 Addiction to Narcotics	0.6		2.3	
No information	--	--	--	--
7.7 Duration of Proceedings from Petition to Nisi	(n=292)	(n=94)	(n=35)	(n=191)
1 year or less	96.2	88.3	94.3	99.0
1 to 2 years	3.8	11.7	2.9	
More than 2 yrs.			2.9	1.0
No information	--	--	--	--

* Percentages add to more than 100% because multiple alleged grounds for divorce were often cited.

Table 7, cont.

CHARACTERISTICS	DEPENDENT CHILDREN		NO DEPENDENT CHILDREN	
	Maintenance	No Maintenance	Maintenance	No Maintenance
7.8 Divorce Cases With Custody Awards	(n=352) %	(n=147) %		
Custody Awards	75.0	37.4	N/A	N/A
No Custody	25.0	62.6		
No information	0.6	10.9		
7.9 Custody Awarded to	(n=264)	(n=55)		
Petitioner	86.4	67.3	N/A	N/A
Respondent	10.6	27.3		
Both	3.0	5.4		
No information	--	--		

2.3.10 Relationship between Grounds for Divorce and Granting of Maintenance Orders

There were only three grounds for divorce which were cited often enough to make a statistical analysis possible. The grounds for divorce have been broken down as to whether of the husband or the wife was the petitioner.

Table 8

Granting of Maintenance Order by Grounds for Divorce by Petitioner

8.1 HUSBAND AS PETITIONER, ADULTERY CITED

	ADULTERY CITED	
	Yes %	No %
Maintenance Order	20.9	33.7
No order	79.1	66.3
No of cases	49	131

$Chi^2 = 3.8,\ 0.08 > p$

There was some indication that if the husband cited adultery in the petition for divorce, there would be less likelihood that a maintenance award would be granted. However, the relationship was not statistically significant.

8.2 HUSBAND AS PETITIONER, PHYSICAL CRUELTY CITED

	PHYSICAL CRUELTY CITED	
	Yes	No
Maintenance Order	39.1	23.1
No order	60.9	76.9
No. of cases	(46)	(134)

$Chi^2 = 3.7,\ 0.06 > p$

The results indicate that a maintenance award was more likely to be granted if the husband cited physical cruelty than if he didn't. Again, the relationship was not statistically significant.

8.3 HUSBAND AS PETITIONER, MENTAL CRUELTY CITED

	MENTAL CRUELTY CITED	
	Yes %	No %
Maintenance Order	33.9	24.2
No order	66.1	75.8
No. of cases	(49)	(131)

$Chi^2 = 1.4,\ 0.24 > p$

There was little indication that maintenance awards were more or less likely to be granted when mental cruelty was cited on the petition.

8.4 WIFE AS PETITIONER, ADULTERY CITED

	ADULTERY CITED	
	Yes %	No %
Maintenance order	62.9	51.0
No order	37.1	49.0
No. of cases	(275)	(290)

$Chi^2 = 0.006 > p$

There was a statistically significant relationship between the citing of adultery in the petition and the granting of a maintenance order.

8.5 WIFE AS PETITIONER, PHYSICAL CRUELTY CITED

	PHYSICAL CRUELTY CITED	
	Yes %	No %
Maintenance Order	58.1	54.9
No order	41.9	45.1
No. of cases	(339)	(226)

$Chi^2 = 0.5,\ 0.50 > p$

There was no relationship between the allegation of physical cruelty as a ground for divorce and the presence or absence of an award.

8.6 WIFE AS PETITIONER, MENTAL CRUELTY CITED

	MENTAL CRUELTY CITED	
	Yes %	No %
Maintenance Order	58.6	53.9
No order	41.4	46.1
No. of cases	(348)	(217)

$Chi^2 = 1.0,\ 0.5 > p$

Again, there was no relationship observed between the two variables.

2.4 CHARACTERISTICS OF MAINTENANCE AWARDS

Information concerning maintenance award cases included terms of the award, the presiding judge (this has not been tabulated), recipient of the award, and the type and amount of the award for each recipient and for each divorce case. Table 9 indicates the proportion of divorce cases with maintenance awards issued by the Supreme Court. The remaining tables only include cases with maintenance awards.

Table 9

Awarding of Maintenance by Presence or Absence of Dependent Children

	Dependent Children %	No Dependent Children %	TOTAL
Maintenance award	68.1	14.4	48.2
No maintenance award	31.9	85.6	51.8
No. of cases	(518)	(305)	(823)

2.4.1 Cases with Maintenance Orders

Over two-thirds (68%) of divorces involving dependent children had a maintenance award as opposed to 14% of the cases with no dependent children. Nonetheless, the number of cases with dependent children but without a maintenance order is not insignificant. It is noteworthy that nearly one third of the cases with dependent children contain no maintenance order. Perhaps these cases involved out of court settlements.

Table 10

Characteristics of Maintenance Awards

		Dependent Children %	No Dependent Children %
10.1	Terms of the Award	(n=351)	(n=44)
	Interim/indefinite	6.3	11.7
	Continuing/final	93.4	88.3
	Variation	0.2	--
	No information	0.6	--
10.2	Recipient of Award	(n=354)	(n=44)
	Wife only	4.5	100.0
	Wife and Children	6.2	N/A
	Children only	44.3	N/A
	Wife and Children as separate awards	44.9	N/A
	No information	--	--

Table 10, cont.

	Dependent Children %	No Dependent Children %
10.3 Type of Award for Spouse	(n=242)	(n=43)
$1.00 or nominal award	34.7	25.5
Lump sum	14.9	41.8
Periodic	33.5	23.2
Reserved	10.7	--
Lump sum and periodic	5.3	9.3
$1.00 and reserved	0.8	--
No information	--	2.3
Not applicable	--	--

10.4 Amount of Award for Spouse	DEPENDENT CHILDREN				NO DEPENDENT CHILDREN			
	Nominal %	Lump %	Periodic %	Lump Periodic %	Nominal %	Lump %	Periodic %	Lump Periodic %
	(n=48)	(n=28)	(n=69)	(n=13)	(n=9)	(n=19)	(n=9)	(n=4)
$1.00	100				100			
$2.00 to $100			20.3	23.0			11.1	
$101 to $200			37.7	23.0		53.0	22.2	
$201 to $300		3.6	11.6				22.2	25.0
$301 to $500			18.8	38.5			23.3	50.0
$501 to $1000			10.1	15.4		10.5	11.1	25.0
$1000 to $5000		28.6	2.9	7.7		31.6		
$5001 to $10,000		14.3				31.6		
Over $10,000		57.1				21.1		
No information							6.8	

10.5 Number of Children Awarded Maintenance	(n=354)
One	35.6
Two	37.5
Three	18.9
Four to seven	7.9
No information	--

10.6 Type of Award for Children	(n=333)
$1.00 or nominal	3.3
Lump sum	0.6
Periodic	96.0
No information	5.9

Table 10, cont.

10.7 AMOUNT OF AWARDS PER CHILD PER MONTH (periodic only)	Dependent Children (n=314)	No Dependent Children
Under $50	5.7	N/A
$51 to $100	37.3	
$101 to $200	47.5	
$201 to $300	7.3	
Over $300	2.2	
No information/not applicable	11.2	
10.8 TOTAL MAINTENANCE PAYMENTS PER MONTH (periodic only)	**(n=317)**	**(n=9)**
Under $100	16.1	71.1
$101 to $200	31.2	22.2
$201 to $300	23.6	22.2
$301 to $500	15.4	23.3
$501 to $1000	11.4	11.1
$1001 to $2000	2.2	--

2.4.2 Terms of the Award (Table 10.1)

About all of the awards were continuing/final awards. There was only one case encountered in the 395 samples of an award which had been varied through the Supreme Court.

2.4.3 Recipient of the Award (Table 10.2)

Wives and children as separate awards (45%), children only awards (44%) and a combined award for wife and children (6%); almost all of the sample of maintenance awards which included dependent children. Of the total sample of divorce cases considered, wives were awarded maintenance (either alone or together with their children) in 29% of the cases.

2.4.4 Type of Award for Spouse (Table 10.3)

Among those cases with dependent children, 35% were nominal awards and a further 11% were reserved. Thirty-four percent received periodic awards, and 15% received a lump sum award. The most common type of award for the cases without dependent children was a lump sum award (42%). The second most common type of award was nominal (26%) followed by periodic awards (23%). Only about a quarter of all cases involving maintenance orders for the spouse specified periodic payments or a lump sum plus periodic payments for the maintenance of the spouse.

2.4.5 Amount of Award for Spouse (Table 10.4)

Over half of the lump sum awards (57%) in cases which included dependent children were in excess of $10,000. The second most common category was $1000 to $5000. Lump sum awards for cases with no dependent children tended to be between $1000 and $10,000, (63%) of the sample. The reader should be cautioned that these distributions represent only a small number of cases (28 and 19 respectively).

Among maintenance order cases involving dependent children the modal category for periodic orders was $101 to $200 per month (38%) of the sample. Thirty percent had orders between $200 and $500 per month and 20% of the orders were for less than $100. Fourteen percent were for more than $500 per month. There were too few cases of periodic awards for spouses without dependent children to make a commentary worthwhile.

2.4.6 Number of Children Awarded Maintenance (Table 10.5)

The modal category of children awarded maintenance was two (38%). In 36% of the cases one child was awarded maintenance and in 26% of the cases awards were granted to three or more children.

2.4.7 Amount of Awards per Child per Month (Table 10.6)

In nearly half of the cases (48%) the monthly amount of the award per child was between $101 and $200. The next largest category (38%) was between $51 and $100.

2.4.8 Total Maintenance Payments per Month (Table 10.7)

Nearly a third (31%) of the cases with dependent children contained monthly awards of $101 to $200. The next largest category (24%) was $201 to $300. Fourteen percent of the sample contained awards in excess of $500 per month.

3.0 TRENDS

According to the terms of reference the following trends were to be analyzed for the following variables: duration of marriage, percentage of divorce cases represented by (a) private law firm (b) petitioners (c) legal aid, values of asset/debt profiles of people obtaining divorces, proportion of people with maintenance orders receiving social assistance at the time of the granting of decrees nisi, proportion of divorce cases containing maintenance awards, and recipients of awards.

3.1 TRENDS CONCERNING DURATION OF MARRIAGE

Table 11

Duration of Marriage Trends

PERIOD	DEPENDENT CHILDREN	MEAN	STANDARD DEVIATION	NO. OF CASES
1972 - 73	Yes	12.1	7.7	112
	No	8.0	8.4	53
1973 - 74	Yes	11.1	6.7	133
	No	10.2	9.8	64
1974 - 75	Yes	11.1	7.3	136
	No	10.2	11.4	68
1975 - 76	Yes	10.5	7.0	95
	No	7.5	9.2	71
	$F = 1.6, .20 > p$			

There was an indication that the mean duration of marriage was somewhat shorter in the last two year period. However, the trend over the eight years was not statistically significant.

3.2 REPRESENTATION BY A PRIVATE LAW FIRM

As almost all the cases sampled were represented by a private law firm, no trend analysis was done.

3.3 DEBT PROFILES OF PEOPLE OBTAINING DIVORCES

There were too many missing cases to allow for a meaningful trend analysis.

3.4 PROPORTION OF PEOPLE OBTAINING DIVORCES WHO WERE ON SOCIAL ASSISTANCE AT THE TIME OF GRANTING OF DECREE NISI

Table 12

Proportion of Cases Containing Maintenance
in which Wife was Receiving Social Assistance
by two year intervals

Wife Receiving Social Assistance	Years			
	1972-73	1974-75	1976-77	1978-79
Yes	22.5	13.4	20.6	10.8
No / not stated	87.5	86.6	79.4	89.2
No. of cases	(80)	(97)	(102)	(120)
	$\text{Chi}^2 = 6.5, 0.10 > p$			

Table 12 might suggest that there may be a trend of fewer wives receiving social assistance at the time of the granting of decrees nisi. However, even such a tentative observation would be incorrect as (1) the results were not statistically significant and (2) there was a large amount of missing data.

3.5 TRENDS CONCERNING THE PROPORTION OF DIVORCE CASES CONTAINING MAINTENANCE AWARDS

The results provided in Table 12 are broken down by city.

Table 13

Maintenance Award Trends

Divorce Cases with Maintenance Awards	Date of Petition							
	Calgary				Edmonton			
	1972-73 %	74-75 %	76-77 %	78-79 %	1972-73 %	74-75 %	76-77 %	78-79 %
Maintenance	62.9	61.5	53.1	50.4	67.2	51.1	51.5	43.3
No Maintenance	37.1	38.5	46.9	49.6	32.8	48.9	48.5	56.7
Number of Cases	62	78	98	121	58	94	99	141
	$\text{Chi}^2 = 4.0, .10 > p$				$\text{Chi}^2 = 9.6, .05 > p$			

There appears to be a weak trend towards granting fewer maintenance awards in both Edmonton and Calgary although in the latter case, the trend is not statistically significant.

3.6 TRENDS IN THE RECIPIENTS OF MAINTENANCE AWARDS

Again the results have been broken down by city.

Table 14

Recipients of Maintenance Awards Trends

Recipient of Maintenance	Year of Award							
	Calgary				Edmonton			
	1972-73	74-75	76-77	78-79	1972-73	74-75	76-77	78-79
Wife only	18.0	3.9	10.0	18.8	20.0	16.0	14.0	20.0
Children only	34.0	56.9	62.0	47.9	24.0	22.0	20.0	40.0
Wife, Children combined award	6.0	3.9	4.0	2.1	18.0	18.0		
Wife, children separate award	42.0	35.3	24.0	31.3	38.0	44.0	66.0	40.0
Number of cases	50	51	50	48	50	50	50	50

There appears to be little in the way of discernable trends in the recipients of awards, other than a decrease in the numbers of combined awards for wives and children.

3.7 TRENDS CONCERNING THE PROPORTION OF DIVORCE CASES INVOLVING DEPENDENT CHILDREN WHICH HAD MAINTENANCE AWARDS

The previous section indicated that there may be a trend towards the granting of fewer maintenance awards in divorce cases. In order to control for the factor of the presence or absence of dependent children, this trend is presented in Table 14 below for divorce cases involving dependent children only.

Table 14 A

Maintenance Award Trends for Divorces Involving Dependent Children

Divorce Cases With Maintenance Awards	DATE OF PETITION			
	1972-73	1974-75	1976-77	1978-79
	%	%	%	%
Maintenance	78.6	68.4	65.9	63.6
No Maintenance	21.4	31.6	34.1	36.4
Number of Cases	(112)	(133)	(138)	(132)
Chi^2 = 7.1, $0.07 > p$				

Table 14 A suggests that there is a trend towards the granting of fewer maintenance orders in divorce cases involving dependent children. However, the relationship does not meet the 0.05 level of statistical significance.

4.0 ANALYSIS OF CHARACTERISTICS THAT WERE ASSOCIATED WITH THE AMOUNT OF THE MAINTENANCE AWARD

The findings presented in this section concern characteristics associated with the amount of maintenance ordered by the Calgary and Edmonton Supreme Courts. The characteristics identified in the study's Terms of Reference included: income of husband and wife, identity of the presiding judge, contestation of the award, the number and ages of children, duration of the marriage, ages of spouses at the time of divorce and the alleged grounds of the divorce.

The amount of maintenance used in this analysis was delimited to periodic awards for children or spouses only. Amounts coded for wives and children did not differentiate the number of recipients for each award amount. The amount coded for children only was the average monthly amount per child. This amount was weighted to prevent differences attributable to inflation from affecting the findings.

To simplify the presentation of associations between the amount of the award and the various characteristics, the information was placed in cross-tabulated categories. However, where possible, statistical tests that use the more powerful interval data were used for determining whether or not associations existed.

4.1 FINANCIAL CHARACTERISTICS OF SPOUSES

Information concerning the financial characteristics of spouses was limited to income data at the time of the petition. In many instances the income of the respondent was the perceived income according to the petitioner. The reliability and validity of this data was therefore suspect.

4.1.1 Income of Husbands and Amount of Maintenance for Children

There was a medium order correlation between the income of the husband and the amount of maintenance awarded to children as shown in Table 15. This association was strongest in Calgary (Spearman's Correlation: 0.61) than in Edmonton (Spearman's Correlation: 0.44).

Table 15

Relationship between Income of Husbands and the Amount of Maintenance for Children

Amount of Maintenance per Child per Month	Monthly Income of Husband			
	Calgary		Edmonton	
	Less than $1500 %	More than $1500 %	Less than $1500 %	More than $1500 %
Less than $100	56.3	24.4	40.0	34.7
More than $100	43.7	75.6	60.0	65.3
No. of cases	(48)	(45)	(50)	(49)
Spearman's Rank Order Correlation Co-efficient (all cases)	0.46, .001 > p, no. of cases = 191			

4.1.2 Income of Husbands and Amount of Awards to Wives

There was a fairly high correlation between the incomes of husbands and the amount of awards to wives which was statistically significant. This is shown in Table 16.

Table 16

Relationship between Income of Husband and the Amount of Award for Spouse

Number of Cases	53
Spearman's Correlation Coefficient	0.71
Level of Significance	0.001 > p

The reader should note that in over a third of the files examined, there was no information concerning the income of the husband and that incomes reported by petitioners may not have been accurate. Therefore, the findings should be regarded as suggestive rather than conclusive.

4.1.3 Income of Wife and Amount of Maintenance for Children

An expected negative correlation between the income of the wife and amount of maintenance for children was not supported (see Table 17). Wives in the high income bracket were just as likely to receive a high maintenance award as were low income wives.

Table 17

Relationship between Income of Wife and the Amount of Maintenance for Children

Amount of Maintenance/ Child/Month	Monthly Income of Wife			
	Calgary		Edmonton	
	$1-1,000	$1,001+	$1-1,000	$1,001+
$	%	%	%	%
1 - 100	40.0	50.0	38.5	27.8
101 - 300 +	60.0	50.0	61.5	72.2
No. of cases	(55)	(16)	(65)	(18)
Spearman's Correlation Co-efficient 0.016 Level of Significance .25				

4.1.4 Income of Wife and Amount of Maintenance for Wife

A weak negative correlation was observed between the income of wives and the amount awarded to spouses (see Table 18) but the association was not significant.

Table 18

Relationship between Income of Wife and the Amount of Maintenance for the Wife

Number of Cases	23
Spearman's Correlation Coefficient	- .20
Level of Significance	.179

4.1.5 The mean amount of maintenance awarded to working wives as opposed to unemployed wives were compared. Working wives had awards of $100 less per month than unemployed wives. However, this difference was not quite statistically significant (level of significance: .06).

Table 19

Awards to Working and Unemployed Wives

	RECIPIENT OF AWARD	
	Working Wife	Non-working Wife
Mean Award	$224	$334
Standard Deviation	156	282
No. of cases	(26)	(26)
	$Z = 1.69, 0.06 > p$	

4.2 IDENTITY OF THE PRESIDING JUDGE

The mean amount of maintenance awarded to children by eight Alberta judges is listed in Table 20. While there was an apparent spread of $20 between the highest and lowest mean awards, the differences among the amounts awarded by any one judge were greater than this difference between the judges. A conclusive statement concerning the relationship between the identity of the judge and the amount of maintenance cannot be made from this data.

Table 20

Relationship between the Identity of the Presiding Judge and the Amount of the Maintenance for Children

JUDGE	MEAN AWARD FOR CHILDREN	NUMBER OF CASES
4	122.55	41
3	121.00	16
24	114.12	16
12	111.81	25
18	107.60	23
26	107.03	17
8	101.86	14

4.3 CONTESTATION

In Calgary and Edmonton, 88% and 87% of the divorce cases respectively, were uncontested. This lack of variation in the data precludes the possibility of a relationship between contestation and the amount of maintenance awarded.

4.4 NUMBER OF CHILDREN

The relationship between the amount of awards per child and the number of children awarded support is given in Table 21 below.

Table 21
Amount of Maintenance by Number of Children

NUMBER OF CHILDREN	MEAN MONTHLY ORDER	STANDARD DEVIATION	NUMBER OF CASES
one	$ 129.8	60.8	108
two	112.8	50.8	122
three or more	115.9	66.9	83
$F = 2.5, 0.08 > p$			

Although one child families received higher mean monthly awards than did families with more children, the relationship was not statistically significant.

4.5 DURATION OF MARRIAGE

There was no evidence of a correlation between the duration of the marriage and the amount of awards to children as can be seen in Table 22.

Table 22

Relationship between duration of
Marriage and the Amount of Maintenance for Children

Awards for Children	Calgary	Edmonton
Number of Cases	135	117
Spearman's Correlation Coefficient	.0681	.0965
Level of Significance	.216	.15

This also held true for the awards to the spouse.

Table 23

Awards to Spouse	
Number of Cases	78
Spearman's Correlation Coefficient	0.09
Level of Significance	0.23

4.6 AGE OF SPOUSES

Table 24 indicates that there was no relationship between the age of spouses at the time of Nisi and the amount of maintenance awarded for children.

Table 24
Relationship between Age of Spouses and the
Amount of Maintenance for Children

AWARDS FOR CHILDREN	Ages in Calgary		Ages in Edmonton	
	Husband	Wife	Husband	Wife
Number of cases	135	135	117	117
Spearman's Correlation Coefficient	.0432	.1018	.0216	.1074
Level of Significance	.309	.12	.409	.125

Table 25 indicates that there was a low order correlation between the age of the wife and the amount of maintenance awarded although it was not statistically significant.

Table 25
Relationship between the Age of Wife
and Amount of Award to Spouse

Awards to Wives	
Number of Cases	78
Spearman's Correlation Coefficient	0.18
Level of Significance	0.06

4.7 RELATIONSHIP BETWEEN AGE OF CHILDREN AND THE AMOUNT OF MAINTENANCE AWARDED PER CHILD

As shown in Table 26, age made almost no difference between the amount of maintenance awarded per month in one child families.

Table 26

Relationship between Age of Child in One Child
Families and amount of Maintenance for the Child

Age of Child	No. of Cases	Mean Amount	Standard Deviation
0-6 years	39	114.8	64
7 +	12	113.0	49

Similarly, in families with two children, there was no association between the amount of maintenance awarded to families where both children were less than 7 years old, one child was less than seven and the other 7 years or more, or both children were 7 years or more. (Table 27)

Table 27

Relationship between Age of Children in Two
Child Families and amount of Maintenance for Children

Age of Child	Number of Cases	Mean Amount	Standard Deviation
Both 7 years	26	86.0	40.1
< 7 and > 6	22	98.4	40.6
Both > 6	19	94.6	31.8

4.8 AMOUNT OF MAINTENANCE AWARDED BY WIFE BEING ON SOCIAL ASSISTANCE AT THE TIME OF PETITION

Table 28 indicates that children of wives who were on social assistance at the time of petition received significantly lower mean awards than those who were not on social assistance.

Table 28

Social Assistance and Awards to
Children

Wife on Social Assistance	Mean	Standard Deviation	Number of Cases
Yes	$ 99.9	47.7	55
No	126.9	55.5	112
	$Z = 3.06, 0.01 > p$		

The mean amounts of periodic awards to wives were also analyzed and the results are given below in Table 29. While the same pattern emerged as in the awards to children (wives on social assistance received a lower mean award than those not on social assistance) the numbers were very small and the difference was not statistically significant.

Table 29

Social Assistance and Awards to Wives

Wife on Social Assistance	Mean	Standard Deviation	Number of Cases
Yes	\$217.4	165.6	14
No	313.9	287.6	23
$Z = 1.26, 0.10 > p$			

5. COMPARISON OF CALGARY AND EDMONTON SUPREME COURT RECORDS

The descriptive data accumulated in the study is broken down by court in Tables 30 to 34. The commentary is restricted to highlighting apparent and real differences between courts. The reader may note that the number of missing cases in these tables are somewhat higher than analagous tables presented earlier in the report. This is because of the missing information in the Statistics Canada tape which was not added manually to the results.

5.1 INDIVIDUAL CHARACTERISTICS OF SPOUSES (Table 30)

5.1.1 Place of Birth of Spouses (Table 30.1)

More spouses in Edmonton were born in Alberta than in the case of Calgary (43%). However, the reader should note the large proportion of missing cases in interpreting this result.

5.1.2 Spouses on Social Assistance of Time of Petition (Table 30.5)

Edmonton wives (36%) seemed to be more likely to be on social assistance at the time of petition than their Calgary counterparts (25%). This difference was not statistically significant (Chi^2 = 2.7, $0.10 > p$). In addition, there was a large number of missing cases.

5.2 MARRIAGE CHARACTERISTICS (Table 31)

5.2.1 Place of Marriage (Table 31.1)

Edmonton divorce cases were signifcantly more likely to be married in Alberta than were Calgary cases. (Chi^2 = 4.6, $0.02 > p$).

5.2.2 Duration of Marriage (Table 31.3)

Any apparent differences between Edmonton and Calgary particularly in the cases without maintenance orders may be due to the large number of missing cases.

5.3 PARTICULARS OF THE DIVORCE (Table 32)

5.3.1 Petitioner (Table 32.1)

It appears that there were a higher proportion of cases in Calgary which named the husband as the petitioner. However, the difference was not statistically significant.

5.3.2 Custody Awards (Table 32.10)

Calgary cases without maintenance awards were significantly more likely to contain custody awards than were Edmonton cases ($\text{Chi}^2 = 15.6$, $0.001 > p$).

5.3.3 Recipient of the Award (Table 33.3)

The majority of the awards in Calgary (51%) were granted to children only, whereas in Edmonton the majority (48%) were for spouse and children.

Table 30

Individual Characteristics of Spouses

CHARACTERISTICS	CALGARY				EDMONTON			
	Maintenance award		No Maintenance		Maintenance Award		No Maintenance	
	Husband	Wife	Husband	Wife	Husband	Wife	Husband	Wife
30.1 Place of Birth of Spouses	(n=151) %	(n=156) %	(n=119) %	(n=119) %	(n=141) %	(n=142) %	(n=86) %	(n=85) %
Alberta	37.7	45.5	45.4	41.2	56.7	57.7	39.5	47.0
British Columbia	7.3	5.8	3.4	5.9	5.7	6.3	2.3	7.1
Saskatchewan	21.2	17.9	13.4	14.3	9.9	6.3	11.6	15.3
Manitoba	6.0	6.4	5.9	6.7	2.1	5.6	3.5	4.7
Ontario	5.3	7.7	7.6	9.2	6.4	5.6	11.6	5.9
Other Canada	4.6	3.8	5.0	4.2	5.0	1.4	10.5	5.9
Other Country	17.9	12.8	19.3	18.5	14.2	16.9	20.9	14.1
% of Cases With No Information	20.6	20.0	25.2	25.6	29.1	29.0	55.7	56.2
30.2 Date of Birth of Spouses	(n=178) %	(n=181) %	(n=145) %	(n=148) %	(n=186) %	(n=187) %	(n=160) %	(n=162) %
1959 - 1950	11.8	22.1	24.1	32.4	17.7	26.2	25.0	36.4
1949 - 1940	42.1	44.2	42.1	43.9	41.9	42.8	35.6	32.1
1939 - 1930	32.5	23.2	14.9	8.8	22.6	20.3	15.6	16.7
1920	3.4	2.2	6.2	4.0	5.4	1.6	6.3	3.7
% of Cases With No Information	10.6	10.0	8.8	8.1	7.0	7.0	17.1	15.6
30.3 Employment Status of Spouses at time of Petition	Husband		Wife		Husband		Wife	
	(n=159) %		(n=158) %		(n=165) %		(n=175) %	
Full time	89.6		51.8		92.7		52.6	
Part time	1.3		3.8		.6		4.0	
Seasonally	-		-		.6		.6	
Self-employed	7.5		.6		2.4		1.1	
Student	-		,6		.6		2.9	
Unemployed	4.4		43.7		3.0		33.1	
Other	-		-		-		5.7	
% of Cases With No Information	19.3		20.2		16.7		12.5	
30.4 Monthly Income of Spouses	(n=114) %		(n=88) %		(n=138) %		(n=99) %	
$ 1 - 1,000	16.7		77.3		13.0		79.8	
1,001 - 1,500	32.5		18.2		34.1		17.2	
1,501 - 2,000	25.4		3.4		23.2		1.0	
2,001 - 3,000	5.8		1.7		15.9		1.0	
3,001 +	9.6		-		6.5		1.0	
% of Cases With No Information	38.6		21.1		34.0		21.1	
Not Applicable (unemployed)	3.5		34.7		2.1		29.2	
30.5 Spouses on Social Assistance at time of Petition	(n=199) (n=199) %		(n=199) (n=199) %		(n=111) (n=111) %		(n=127) (n=127) %	
Yes	2.2		24.5		.9		35.9	
No	97.8		75.5		99.1		64.1	
% of Cases With No Information	31.7		50.8		44.2		41.5	

Table 31

Marriage Characteristics

CHARACTERISTICS	Maintenance Award		No Maintenance		Maintenance Award		No Maintenance	
31.1 Place of Marriage	(n=180) %		(n=184) %		(n=185) %		(n=184) %	
British Columbia	5.6		4.9		4.9		5.4	
Alberta	64.4		64.1		75.1		68.5	
Saskatchewan	7.2		6.0		4.3		5.4	
Manitoba	4.4		3.3		2.7		3.8	
Ontario	6.6		9.8		4.9		7.1	
Other Canada	2.8		4.3		1.6		3.8	
Other Country	8.9		7.6		6.5		6.0	
31.2 Date of Marriage	(n=184) %		(n=150) %		(n=186) %		(n=166) %	
1978 - 1975	7.1		16.7		8.6		15.1	
1974 - 1970	22.8		35.3		25.3		37.3	
1969 - 1965	24.5		22.7		28.5		15.7	
1964 - 1960	13.6		6.0		16.1		7.2	
1959 - 1955	20.1		5.3		10.8		9.6	
1954 - 1950	5.3		3.3		5.4		7.8	
1949 and earlier	6.5		10.7		5.4		7.2	
31.3 Duration of Marriage	(n=155) %		(n=118) %		(n=141) %		(n=84) %	
1 - 2 years	5.2		13.6		9.9		21.4	
3 - 5 years	16.1		34.0		17.0		20.2	
6 -10 years	31.6		22.9		27.7		33.4	
11 -15 years	19.4		9.3		24.1		6.0	
16 + years	27.7		20.3		21.3		19.0	
31.4 Status of Spouse at Marriage	Husband (n=179) %	Wife (n=179) %	Husband (n=149) %	Wife (n=149) %	Husband (n=184) %	Wife (n=184) %	Husband (n=165) %	Wife (n=165) %
Never Married	89.9	87.8	83.2	80.5	87.5	88.6	89.1	82.4
Widowed	-	0.5	2.7	2.7	0.5	1.6	3.0	5.5
Divorced	10.1	11.7	14.1	16.8	12.0	9.8	7.9	12.1
31.5 Number of Dependent Children	(n=198) %		(n=201) %		(n=199) %		(n=211) %	
None	9.0		67.6		13.0		56.4	
One	29.3		13.4		33.7		14.7	
Two	38.9		12.4		30.2		19.0	
Three	15.1		4.6		17.6		6.6	
Four - Seven	7.5		2.0		5.5		3.3	

Table 32

Divorce Characteristics

CHARACTERISTICS	Calgary				Edmonton			
	Maintenance Award		No Maintenance		Maintenance Award		No Maintenance	
32.1 Petitioner Petitioner	(n=178) %		(n=148) %		(n=185) %		(n=166) %	
Husband	15.2		45.3		11.4		34.3	
Wife	84.8		54.7		88.6		65.7	
32.2 Date of Petition	(n=200) %		(n=159) %		(n=199) %		(n=193) %	
1972	9.0		7.5		9.0		4.1	
1973	10.5		6.9		10.5		5.7	
1974	11.5		9.4		11.6		6.7	
1975	12.5		9.4		12.6		17.1	
1976	13.0		16.3		12.6		12.5	
1977	13.0		12.6		13.0		12.5	
1978	14.5		22.0		14.6		17.6	
1979	16.0		15.7		16.1		23.8	
32.3 Petition filed by:	(n=199) %		(n=201) %		(n=200) %		(n=212) %	
Private law firm	94.9		96.5		97.5		98.6	
Petitioner	2.0		3.5		2.5		0.9	
Legal aid	3.1		-		-		0.5	
32.4 Contestation of Petition	(n=199) %		(n=200) %		(n=200) %		(n=212) %	
No contest	85.5		92.0		82.5		91.5	
Initial contest	9.0		4.5		7.5		1.9	
Contest to Discovery	5.0		3.5		10.0		6.6	
Contest to Trial	0.5		-		-		-	
32.5 Residence of Spouse at time of Petition	Husband (n=152) %	Wife (n=154) %	Husband (n=116) %	Wife (n=117) %	Husband (n=138) %	Wife (n=140) %	Husband (n=84) %	Wife (n=85) %
Alberta	86.8	92.2	91.3	83.8	91.3	97.1	88.1	87.1
Other Canada	13.2	7.8	8.7	16.2	8.7	2.9	11.9	12.9
% of Cases With No Information	23.6	22.6	27.5	26.9	32.7	29.3	56.5	56.0
32.6 Age of Spouses at Divorce	(n=155)	(n=155)	(n=148)	(n=147)	(n=140)	(n=140)	(n=96)	(n=97)
18 - 24 years	7.0	13.5	12.2	21.1	9.3	19.3	14.6	19.6
25 - 29 years	18.7	25.2	23.6	32.0	23.6	20.7	25.0	30.1
30 - 39 years	40.0	39.4	36.5	23.8	36.4	37.1	29.2	20.6
40 - 49 years	26.6	17.4	11.5	10.2	22.1	15.7	14.6	16.5
50 + years	7.7	4.5	16.2	12.9	8.6	7.1	16.7	8.2

Table 32 Cont'd

CHARACTERISTICS	Calgary		Edmonton	
	Maintenance Award	No Maintenance	Maintenance Award	No Maintenance
32.7 Alleged grounds for Divorce:	(n=194)	(n=160)	(n=198)	(n=193)
Marital Offence	%	%	%	%
Adultery	46.7	46.3	48.0	42.5
Homosexual Act	-	-	-	1.0
Subsequent Marriage	-	-	0.5	-
Physical Cruelty	50.3	24.1	55.6	40.4
Mental Cruelty	54.8	35.6	55.6	40.9
Marriage Breakdown				
Imprisonment more than 3 years	-	-	1.0	-
Addiction to Alcohol	3.5	1.3	1.5	.5
Addiction to Narcotics	1.0	-	1.0	-
Marriage not Consummated	-	-	-	0.5
Separation for more than 3 years	15.6	26.9	15.2	13.5
Desertion for more than 5 years	-	.6	1.0	3.1
32.8 Duration of Proceedings from Petition to Nisi	(n=177)	(n=164)	(n=159)	(n=126)
	%	%	%	%
< 1 Year	75.1	75.6	63.5	82.5
1 year	22.6	21.3	30.8	13.5
2 years	2.3	2.4	5.0	4.0
> 2 years	-	.6	.6	-
32.9 Duration of Proceedings from Nisi to Absolute	(n=177)	(n=164)	(n=159)	(n=109)
<1 year	64.4	64.6	57.9	64.2
1 year	33.4	34.1	40.2	34.8
2 years	1.7	-	1.9	.9
>2 years	.6	1.2	-	-
32.10 Divorce cases with Custody Awards	(n=178)	(n=64)	(n=174)	(n=83)
	%	%	%	%
Custody Awards	79.8	56.3	70.1	22.9
No Custody	20.2	43.7	29.9	77.1
Not Applicable (no children)	9.2	68.0	13.0	58.9
32.11 Custody awarded to:	(n=142)	(n=36)	(n=122)	(n=19)
	%	%	%	%
Petitioner	85.2	63.9	87.7	73.7
Respondent	12.7	27.8	8.2	26.3
Both	2.1	8.3	4.1	-

5.4 CHARACTERISTICS OF MAINTENANCE AWARDS (Table 33)

5.4.1 Maintenance Awards

As a proportion of the total divorce population, 24% and 35% of the Calgary and Edmonton wives respectively received maintenance awards. Calgary wives were significantly less likely to receive a maintenance award than were Edmonton wives (see Table 12).

Table 34

Relationship Between Court Location and Wives Receiving Maintenance Awards

Wives Receiving Maintenance	Court Location Calgary	 Edmonton
Maintenance	24.3	35.0
No Maintenance	75.7	65.0
Number of Cases	400	412
Chi^2 = 10.6 > .01		

Maintenance awarded to divorce cases from which there were dependent children included 74% and 62% of the Calgary and Edmonton samples respectively (see Table 12). There was a significantly greater likelihood that Calgary children would receive maintenance.

Table 35

Relationship Between Court Location and Children Receiving Maintenance Awards

Children Receiving Maintenance	Court Location Calgary	 Edmonton
Maintenance	73.6	62.3
No Maintenance	26.4	37.7
Number of Cases	235	265
Chi^2 = 6.8 > .01		

Table 33

Characteristics of Maintenance Awards

CHARACTERISTICS	Calgary	Edmonton
31.1 Divorce cases with Maintenance Awards	(n=399) %	(n=426) %
Maintenance Award	49.8	46.5
No Maintenance	40.2	49.0
31.2 Terms of the Award	(n=198) %	(n=198) %
Interim/Indefinite	1.0	13.1
Continuing/Final	98.5	86.9
Variation	0.5	-
31.3 Recipient of the Award	(n=199) %	(n=199) %
Wife only	13.1	17.1
Wife and Children	3.5	7.5
Children	51.2	27.7
Wife and Children as separate Awards	32.2	47.7
31.4 Type of Award for Spouse	(n=101) %	(n=121) %
$1.00 or nominal award	28.7	24.8
Lump sum	24.8	27.3
Periodic	43.6	34.7
Lump sum and Periodic	3.0	11.6
$1.00 and reserved	-	1.7

Table 33 Cont'd.

CHARACTERISTICS	CALGARY (Nominal)	CALGARY (Lump Sum)	CALGARY (Periodic)	EDMONTON (Nominal)	EDMONTON (Lump Sum)	EDMONTON (Periodic)
31.5 Amount of Maintenance for Spouse	(n=29) %	(n=22) %	(n=38) %	(n=30) %	(n=23) %	(n=42) %
$ 1 - 2	100	-	-	100	-	4.8
3 - 100	-	-	21.1	-	-	11.9
101 - 200	------	-	28.9	-	-	42.9
201 - 300	-	-	13.1	-	-	11.9
301 - 500	-	-	18.4	-	-	21.4
501 - 1,000	-	4.5	13.1	-	4.3	7.1
1,001 - 5,000	-	27.3	5.3	-	34.8	-
5,001 -10,000	-	31.8	-	-	13.0	-
10,000 +	-	36.4	-	-	47.8	-
31.6 Number of Children awarded Maintenance	(n=168) %			(n=163) %		
One	35.7			39.9		
Two	42.3			32.5		
Three	15.5			22.1		
Four - Seven	6.5			5.5		
31.7 Type of award for Children	(n=170)			(n=165)		
$1.00 or nominal	2.9			3.6		
Lump sum	1.2			.6		
Periodic	95.9			95.8		
31.8 Amount of award per child per month	(Nominal) (n=5) %	(Lump Sum) (n=2) %	(Periodic) (n=155) %	(Nominal) (n=1) %	(Lump Sum) (n= 1) %	(Periodic) (n=159) %
$ 1 - 2	80	-	-	100	-	-
3 - 50	-	-	6.5	-	-	5.0
51 - 100	20	-	38.0	-	100	36.5
101 - 200	-	-	47.1	-	-	47.8
201 - 300	-	-	8.4	-	-	6.3
301 +	-	100	-	-	-	4.4
31.9 Total Maintenance Payments per Month	(n=167) %			(n=173) %		
$ 1 - 2	.6			1.1		
3 - 100	17.4			14.5		
101 - 200	29.3			29.5		
201 - 300	22.8			23.7		
301 - 500	14.4			19.1		
501 - 1,000	12.6			11.0		
1,001 - 2,000	2.9			1.1		
31.10 Total Maintenance Payment per Month	(Spouse Only) (n=7) %	(Wife and Children) (n=68) %	(Children Only) (n=96) %	(Spouse Only) (n=13) %	(Wife and Children) (n=110) %	(Children Only) (n=52) %
$ 1 - 2	14.3	-	-	15.4	-	-
3 - 100	14.3	8.8	22.9	-	17.3	13.5
101 - 200	-	26.5	33.3	15.4	27.3	38.5
201 - 300	42.9	14.7	28.1	15.4	20.0	30.8
301 - 500	14.3	19.1	11.5	30.8	20.9	11.5
501 - 1,000	14.3	25.0	2.1	23.1	12.7	5.8
1,001 - 2,000	-	5.9	2.1	-	1.8	-

APPENDIX "A"

SUPREME COURT RECORD SCHEDULE

1. Case Number ---------------------------------- 1 2 3 4 5 6

2. Court -- 7

CODER: GO TO PETITION FOR DIVORCE

3. Was this petition filed by: ------------------ 8

(1) Private law firm
(2) Petitioner
(3) Legal Aid
(4) Not stated

4. Number of dependent children ----------------- 9 10

(0) None (99) Not stated

CODER: CHECK FOR COUNTER PETITION/DEMAND OF NOTICE/EXAMINATION OF DISCOVERY

5. Contestation of petition --------------------- 11

(1) No contest (A Note of Default)
(2) Initial contest (Counter Petition filed)
(3) Contest to Discovery (Examination for Discovery)
(4) Contest to Trial
(5) Not stated

CODER: GO TO DECREE NISI/MINUTES OF SETTLEMENT

MAINTENANCE ORDERS

6. Does the case contain a maintenance order? ---- 12

(1) Yes (3) Reserved
(2) No (9) Not stated

7. Terms of award: ------------------------------ 13

(1) Interim (3) Variation
(2) Continuing/Final (9) Not applicable

8. Identity of the presiding judge -------------- 14 15

9. Is maintenance ordered for: ------------------ 16

(1) Wife only
(2) Husband only
(3) Wife and children
(4) Husband and children
(5) Children only
(6) Wife and children as separate awards

10. Type of award for spouse --------------------- 17

(1) $1 or nominal award (3) Periodic
(2) Lump sum (9) Not applicable

11. Amount of maintenance awarded for spouse ------ 18 19 20 21 22
(Monthly amount for periodic awards)

(99999) Not applicable

12. Type of award for children ------------------- 23

(1) $1 or nominal award (3) Periodic
(2) Lump sum (9) Not applicable

13. CODER: CALCULATE AVERAGE AMOUNT OF MAINTENANCE PER CHILD PER MONTH ------------------- 24 25 26

(999) Not applicable

14. CODER: CALCULATE TOTAL MAINTENANCE PAYMENTS PER MONTH ---------------------------- 27 28 29

CALGARY SUPREME COURT JUDGES

1. Cullen
2. Holmes
3. Kidd, G. J.
4. Kirby
5. Leiberman, D. H.
6. McClung
7. Milvain, J. V. H.
8. Moore, W. K.
9. Moshansky
10. Patterson, H. S.
11. Quigley
12. Shannon
13. Sinclair, W. R.
14. Yanosik
15.
16.
17.
18.

15. Income of husband (monthly) ------------------- 30 31 32 33

16. Income of wife (monthly) ---------------------- 34 35 36 37

17. Employment status of husband ------------------ 38

(1) Full-time (wage earner)
(2) Part-time
(3) Seasonal
(4) Self-employed
(5) Full-time student
(6) Unemployed
(7) Other (specify) ____________________
(9) Not stated

18. Employment status of wife --------------------- 39

(1) Full-time (wage earner)
(2) Part-time
(3) Seasonal
(4) Self-employed
(5) Full-time student
(6) Unemployed
(7) Other (specify) ____________________
(9) Not stated

19. Matrimonial home awarded to: ------------------ 40

(1) Husband	(4) No home
(2) Wife	(5) Other
(3) Both	(9) Not stated

SOCIAL ASSISTANCE

20. Is husband receiving social assistance at the time of Nisi? ---------------------------------- 41

(1) Yes (2) No (9) Not stated

21. If yes, is assistance for: -------------------- 42

(1) Self alone
(2) Self and one child
(3) Self and two children
(4) Self and three or more children
(9) Not applicable

22. Is wife receiving social assistance at the time of Nisi? -------------------------------------- 43

(1) Yes (2) No (9) Not stated

23. If yes, is assistance for: -------------------- 44

(1) Self alone
(2) Self and one child
(3) Self and two children
(4) Self and three or more children
(9) Not applicable

FAMILY COURT RECORDS STUDY

TECHNICAL REPORT

FAMILY COURT RECORDS STUDY: TECHNICAL REPORT

1. INTRODUCTION

The Family Courts in Alberta maintain a numerical list of family related case files that include custody, juvenile, access and maintenance support actions. The maintenance order files, the files of interest to this study, contained documents specifying the particulars of the case, maintenance awards and default actions. A payment record (ie. ledger card) was maintained in the accounts section of the Court.

Both the case files and ledger cards in Calgary, Edmonton, Lethbridge and Grande Prairie Family Courts provided information presented in this section of the report.

1.1 Purpose of the Family Court Records Study

Information contained in the Family Court records and ledger cards was appropriate for these study purposes:

a. to identify the incidence of payment/default of maintenance orders registered and/or enforced through the Family Court.

b. to identify the characteristics of Family Court maintenance orders.

c. to identify the characteristics of payment/default maintenance order cases.

d. to identify the extent of enforcement among maintenance order cases.

1.2 Records Population

The population of interest to this section of the study consisted of maintenance order case files and ledger cards located in Calgary, Edmonton, Lethbridge and Grande Prairie Family Courts. Inactive cases or cases that were currently before the Court were deleted from the population. The number of cases in each Court is presented in Table 1.

Table 1

Population Size of Family Court Records by Court - as of March 1980

COURT	Number of Maintenance Files
Calgary	2,737
Edmonton	2,842
Lethbridge	580
Grande Prairie	400

1.3 Sampling Procedure

The numerical listing of Court files located in Calgary, and an alphabetical listing of files in Lethbridge and Grande Prairie served as the sampling frames for the records sample. In Edmonton, cases were selected from a "linex" card listing. A quota sample of 400 cases was drawn from both Calgary and Edmonton populations, 85 cases from Lethbridge and 70 cases from the Grande Prairie population. An additional 18 Reciprocal Enforcement Maintenance Orders (REMO) cases issued through the Calgary Court but enforced in other provinces and 6 cases additionally selected in Edmonton because of the systematic procedure, were included in the respective samples. A table of random numbers was used to draw the Calgary sample and a systematic random selection was used in the other courts.

An attempt was made to locate the ledger card applicable to each sampled file. The number of cards located in each Court is listed in Table 2.

Table 2

Number of Sampled Ledger Cards by Court

Courts	Number of Ledger Cards	Percentage of Sample
Calgary	227	54.3
Edmonton	348	85.7
Lethbridge	82	96.5
Grande Prairie	42	60.0

There were several reasons for the difficulty in locating ledger cards in Calgary and Grande Prairie, in particular. Calgary until recently, did not make up a ledger card until a payment had been made to the Court. The 18 REMO cases that were being paid to wives in other provinces would not have a ledger card and 3 cases were not to commence payments until 1980. At the time of coding Calgary was reorganizing its filing system and the remainder of the missing ledger cards were in storage or could not be located.

In Edmonton and Lethbridge, some cards were being used by Court workers or counsellors and could not be located, and some cards referred to 1980 cases where payments had not yet commenced.

In Grande Prairie there was limited information contained in the files and an explanation for the missing ledger cards could not be obtained. At the time of the study, the Grande Prairie Court did not keep a copy of many of the documents related to each case. Much of this information was retained by lawyers and Court workers or counsellors.

1.4 Data Collection Procedure

A checklist was developed by CIR and approved by the Study's Steering Committee for collecting information from the files and the ledger cards. The checklist (see Appendix A) consisted of a section concerning the payment record that was applied to the ledger cards, a section concerning details of all the maintenance order cases; a section related to cases with default orders and a final section related to enforcement procedures. The data was collected in the months of January to March 1980.

1.5 Data Analysis Procedures

The data was analyzed using programs from the Statistical Package for Social Sciences (SPSS). Financial data coded from the files that related to income and the amount of the awards, were weighted by a factor derived from the Cost of Living Index base: 1979=1. The weights applied to amounts ordered between 1971 and 1979 appear in Table 3. The weighting ensured that differences attributed to inflation across the years did not influence the findings.

Table 3

Financial Data Weighting Factors

Year of Award	Cost of Living Index Weighting Factor
1971	1.96
1972	1.82
1973	1.67
1974	1.54
1975	1.42
1976	1.31
1977	1.18
1978	1.07
1979	1.00

2. DESCRIPTION OF ALBERTA FAMILY COURT MAINTENANCE ORDER CASES

The findings presented in this section concern the description of maintenance order cases registered or enforced through the Family Court. The characteristics of interest included: the payment record, individual characteristics of the spouses, particulars of the marriage and divorce, characteristics of the maintenance awards, particulars of default order cases and enforcement procedures experienced by the cases.

All the findings are presented in tabular form with the data from Calgary, Edmonton, Lethbridge and Grande Prairie listed in separate columns. In order to facilitate comparisons across columns, missing and "not applicable" cases have been omitted from the calculations of percentages. The number of missing cases have been noted at the base of the tables. In some instances there was so little recorded data that the tables are presented without comment in the Appendices.

The tables are accompanied by a narrative summary of the most salient points. The discussion includes percentages calculated from the sample as a whole or from courts which evidenced similar findings. Some additional tables appear in the text to identify statistically significant relationships.

2.1 Payment Record

The payment record (ie. ledger card) of maintenance order cases was available in 227 (54%) Calgary, 348 (86%) Edmonton, 82 (96%) Lethbridge, and 42 (60%) Grande Prairie cases. The original intention was to compare payment records across all four Courts. However, it was decided to omit the data from Calgary and Grande Prairie because of the large number of missing cases and the bias introduced by the practice of creating a ledger card only when a payment had been made. The ledger card information from Calgary and Grande Prairie is presented without comment in Appendix B.

2.1.1 Payments on Type of Award.

Payments recorded on the ledger cards were generally (61% in Edmonton, 77% in Lethbridge) made on the maintenance award. The remaining cases were arrears order cases (see Table 4.1).

2.1.2 Payment Status of the Case.

At the time of the study, a slight majority of both maintenance and show cause cases (52% and 58% respectively) were in arrears.

A more detailed description of the payment status on the 58% of the cases with arrears orders can be observed from Table 4.3. Thirteen percent and 21% respectively of the Edmonton and Lethbridge arrears orders were paid up. Approximately another quarter of the cases were decreasing the amount owing on the order of arrears. However, a majority of the cases were not making payments and arrears were increasing. This pattern was consistent in Edmonton and Lethbridge.

2.1.3 Incidence of Payment.

Three measures were used to indicate the incidence of payment; whether a payment was made during the six months prior to the study, in November, 1979, and the percentage of payments made over the duration of the case.

Table 4.4 indicates that approximately two-thirds of the cases had made a payment during the six months prior to the study. However, only 50% and 46% respectively in Edmonton and Lethbridge made payments in November, 1979 (see Table 4.5).

When the full duration of the case was considered, the number of cases that made all their payments was 38% in both Edmonton and Lethbridge. There was a noticeable difference between Edmonton and Lethbridge in the number of cases that made no payments (see Table 4.6). There was a greater tendency for Lethbridge cases to make some payments even though they missed 50% of their payments. In Edmonton, 23% of the cases made no payments at all over the duration of the case. The greater incidence of partial payments in Lethbridge is probably because of different systems of court administration. The Lethbridge Family Court allows partial payments of orders when full payment cannot be made. This practice is not encouraged in Edmonton.

2.1.4 Duration of Payment

A sizeable majority (87% and 73% respectively) of the Edmonton and Lethbridge cases were registered for payment through the Family courts between 1975 and 1980. Most of the remaining orders were registered between 1970 and 1974 (see Table 4.7).

Payments made on the orders tended to be of a similar duration; 73% made payments over 1 - 5 years and 24% over 6 - 10 years. However, in Edmonton 40% of the cases made payments for a year or less and 47% made payments for 2 - 5 years. There were more long term payers in Lethbridge than Edmonton (see Table 4.8).

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2.1.4 Duration of Payment

A sizeable majority (87% and 73% respectively) of the Edmonton and Lethbridge cases were registered for payment through the Family courts between 1975 and 1980. Most of the remaining orders were registered between 1970 and 1974 (see Table 4.7).

Payments made on the orders tended to be of a similar duration; 73% made payments over 1 - 5 years and 24% over 6 - 10 years. However, in Edmonton 40% of the cases made payments for a year or less and 47% made payments for 2 - 5 years. There were more long term payers in Lethbridge than Edmonton (see Table 4.8).

Table 4

Characteristic	Frequency Distribution			
	Edmonton		Lethbridge	
4.1 Type of Award	(n= 34) %		(n= 82) %	
Maintenance Order	60.5		76.8	
Order of Arrears	39.5		23.2	
No information	--		--	
4.2 Payment Status of the Case	Maintenance Order	Arrears Order	Maintenance Order	Arrears Order
	(n= 209) %	(n=136) %	(n= 63) %	(n= 19) %
Full Payments	49.8	41.2	42.9	47.4
Partial or no payments	50.2	58.8	57.1	52.6
No information	0.8		--	
4.3 Status of Payment on Arrears Orders	(n= 136) %		(n= 19) %	
Arrears Increasing	58.8		52.6	
Arrears Balance	4.4		5.3	
Arrears Decreasing	24.3		21.1	
Arrears Paid Up	12.5		21.1	
No information	--		--	
4.4 A payment made in the last six months	(n= 341)		(n = 82)	
Yes	62.8		72.0	
No	37.2		28.0	
No information	2.0		--	
4.5 Payments made in November 1979	(n= 327)		(n= 82)	
Yes	49.8		46.3	
No	52.2		53.7	
No information	6.0		--	

Table 4, cont.

Characteristics	Frequency Distribution	
	Edmonton	Lethbridge
4.6 % of payment made over duration of the case	(n= 346)	(n= 82)
All payments (100%)	37.9	37.8
Half or more of the payments (50-99%)	20.8	22.0
Less than half the payments (1-49%)	18.5	32.9
No payments (0%)	22.8	7.3
No information	0.6	--
4.7 Date of first payment	(n= 337)	(n = 81)
1979-80	28.2	32.1
1978-75	59.1	40.8
1974-70	14.5	23.4
1969-55	4.2	3.7
No information	3.1	1.2
4.8 Number of years Payments were made	(n=333)	(n= 76)
1 year or less	40.2	36.8
2-5 years	46.8	36.8
6-10 years	11.4	23.7
11-15 years	1.5	2.7
No information	4.3	7.3
4.9 Promptness of payment	(n= 257)	(n= 76)
Date prescribed	15.2	30.3
Within a week	34.2	22.4
More than a week late	50.6	47.4
The cases with no payments	25.9	7.3

Table 4, cont.

Characteristics	Frequency Distribution	
	Edmonton	Lethbridge
4.10 Monthly	(n= 333)	(n= 82)
$1-75	24.9	32.9
$76-125	26.4	29.4
$126-200	26.7	28.0
$201-300	9.0	7.3
$301-500	2.4	2.4
$501 plus	-	-
No Information	4.3	
4.11 % of ordered amount that is paid	(n= 340)	(n= 82)
Full amount (100%)	47.9	36.6
Half or more (50-99%)	15.0	23.2
Less than half (1-49%)	12.3	33.0
No payments (0%)	24.7	7.3
No information	2.3	--
4.12 Pattern of payment	(n= 348)	(n= 82)
All the time (100%)	35.6	36.6
Partial payers (99-1%)	42.5	56.1
No payments (0%)	21.8	7.3
No information	--	--

2.1.5 Promptness of Payment.

Table 4.9 indicates that 51% and 47% respectively of the Edmonton and Lethbridge cases were more than a week late making payments. Lethbridge cases tended to make payments within the date prescribed more often than Edmonton cases.

2.1.6 Amount of Payment.

A slight majority of the cases (51% in Edmonton and 52% in Lethbridge) had maintenance or arrears payments of less than $126.00 per month. An additional 27% in both courts made payments of $126.00 - $200.00 per month. Payments of more than $200.00 per month occurred in approximately 10% of the cases. The distribution of the amount of payment tended to be consistent in both courts.

2.1.7 Amount of Payment as a Percentage of the Ordered Amount.

The information in Table 4.11 indicates that Lethbridge cases (56%) tended to pay partial amounts more often than Edmonton cases (27%). In Edmonton, payments tended to be either the full amount or a payment was not made. This relationship between the degree of payment and court location is statiscally significant (see Table 5).

Table 5

Relationship Between the Degree of Payment Amount and Court Location

Degree of Payment	Court Location	
	Edmonton	Lethbridge
Full Amount	63.7	39.5
Partial Amount	46.3	60.5
Number of Cases	256	76
Chi^2	13.1p $<$ .01	

2.1.8 Pattern of Payment

The pattern of payment was defined by the Steering Committee as "The percentage of the amount paid relative to the amount that should have been paid during the length of the case history." Table 4.12 presents the frequencies of cases for which full amounts were paid all the time, partial amounts were paid all the time, partial amounts were paid all of the time or full amounts were paid part of the time, and no payments were made.

As might be expected from the preceding discussion the pattern of payment in Edmonton and Lethbridge varied significantly. Approximately 36% of the cases in both courts were full payers. However, Lethbridge cases (56%) were more likely than Edmonton cases (43%) to make a partial payment than no payment (Chi^2 9.2 $p < .01$).

2.2 Individual Characteristics of Spouses

The individual characteristics of spouses, included: residence, employment status, source of income, monthly income, assets, debts and expenses of the spouses. The large amount of missing information for most of these variables seriously affects the validity of findings. Consequently, most of the tables are presented without comment on Appendix D. Those tables with valid data, the residence and source of income of spouses are presented below. The tables present data drawn from all four Family Courts included in this study.

2.2.1 Residence of Spouses

Table 6.1 indicates that almost all of husbands were resident in Alberta (at least according to the file information). The Calgary sample included a few (6%) awards that were ordered in Alberta but enforced in another province. Over three-quarters of the wives (77%) in the entire sample were also resident in Alberta. There was, however, a difference between the courts. Thirty-six percent of the wives in the Calgary sample had moved from the province. This percentage was far higher than for the other three courts.

2.2.2 Source of Income

Unlike the other tables, the missing cases have been included in the calculation of percentages in Table 6.2. While the source of income of each spouse was sporadically recorded in general, it was probably recorded in most if not all cases when a spouse was on social assistance. For example, the finding that 26% of the women in the Edmonton files were on social assistance is probably a good estimate of the population parameter, but the finding that 18% were employed is not a good estimate.

A larger proportion of wives received social assistance in Lethbridge (32%) and Edmonton (26%) than Calgary (18%) and Grande Prairie (11%).

Table 6

Individual Characteristics of Spouses

Characteristics		Frequency Distribution							
		Calgary		Edmonton		Lethbridge		Grande Prairie	
		Husband (n=395)	Wife (n=386)	Husband (n=405)	Wife (n=402)	Husband (n=85)	Wife (n=85)	Husband (n=69)	Wife (n=69)
		%	%	%	%	%	%	%	%
6.1	Residence of Spouses								
	Alberta	93.5	61.9	100.0	87.7	100.0	94.1	100.0	89.8
	Other Canada	6.3	36.3	---	11.8	---	6.0	---	10.2
	Out of Country	0.2	1.8	---	0.5	---	---	---	---
	no information	5.5	8.3	1.0	2.0	---	1.2	---	1.4
6.2	Source of Income	(n=418)	(n=418)	(n=406)	(n=406)	(n=85)	(n=85)	(n=70)	(n=70)
	Employment	31.1	6.1	53.8	18.2	80.	11.8	54.3	1.4
	Unemployment Insurance	.5	.5	.7	.5	2.4	---	---	---
	Social Assistance	---	17.7	.5	26.2	---	31.8	---	11.4
	Other	.2	.5	1.2	1.2	---	---	---	---
	Not Stated	68.2	75.1	43.8	53.9	17.6	56.5	45.7	---

2.3 Particulars of the Marriage and Divorce.

Particulars of the marriage and divorce included the place and duration of the marriage, marital status after the marriage breakdown, alledged grounds for divorce, the number of dependent children, custody and access arrangements and disposition of the matrimonial home.

2.3.1 Place of Marriage.

It can be seen from Table 7.1 that at least two-thirds of the cases in each court were married in Alberta or the prairie provinces. Calgary and Grande Prairie findings included a notable **number of** marriages from B.C., Ontario and other countries. These percentages would probably be consistent with the immigration patterns of the respective cities.

2.3.2 Duration of Marriage.

Most marriages (at least 74%) were of six or more years duration. In Calgary and Edmonton approximately one-third of the cases were married for 6 - 10 years and the remaining cases were spread relatively evenly across 11 - 25 years. However, in Lethbridge and Grande Prairie approximately half the marriages were of 16 years or more and only a third of the cases were married for less than 10 years.

2.3.3 Marital Breakdown Status.

The marital status of cases with maintenance orders registered in the Family courts was 59% divorced and 41% separated. There were slightly more separated cases (see Table 3) in Edmonton (44%) and Grande Prairie (45%) than Calgary (39%)and Lethbridge (37%).

2.3.4 Date of Separation or Divorce

A majority of the cases in all courts were divorced or separated between 1975 and 1980 (see Table 7.4). A quarter of the cases in Calgary and Edmonton included 1970 - 1974 adjudications. While approximately 9% of the remaining cases in all courts were divorced or separated between 1965 - 1969, only 3% of the Calgary cases were adjudiciated prior to 1965.

2.3.5 Grounds for Divorce

Table 7.5 indicates that the Family Court cases tended to evenly claim marital offence and marriage breakdown as the grounds for divorce. The large number of missing cases prevents a more definitive explanation of the alleged grounds.

2.3.6 Number of Dependent Children

Table 7.6 indicates that very few cases registered in the Family Court did not have dependent children (2%). Approximately two-thirds of the cases were one or two children families although

14% of the total sample contained four or more children.

2.3.7 Custody Awards.

Custody was generally specified in the sampled cases and was primarily awarded to the wife (see Table 7.7). In Calgary almost a quarter of the awards (24%) assigned custody of at least one child to the husband and one to the wife.

2.3.8 Access Arrangements.

It can be seen in Table 7.8 that the court generally indicated that the husband was to have "reasonable" access to the children. In Calgary, the degree of access was specified in 19% of the cases and the court prevented access with a restraining order in 7% of the cases. Grande Prairie cases (18%) also tended to specify the degree of access to children.

2.3.9 Disposition of the Matrimonial Home.

Although the wife most often received possession of the matrimonial home, very few cases contained evidence of a home (see Table 7.9). The apparent difference in home ownership between Calgary and Edmonton was attributable to coding differences in the courts when the data was collected.

TABLE 7

Particulars of the Marriage and Divorce

	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
7.1 Place of Marriage	(n=296)	(n=215)	(n=73)	(n=43)
British Columbia	8.6	1.4	6.8	9.4
Alberta	49.8	80.0	79.5	65.2
Saskatchewan	7.2	4.2	4.1	--
Manitoba	6.8	1.8	4.1	2.3
Ontario	13.9	4.7	1.4	13.9
Other - Canada	4.5	3.2	4.1	4.6
Out of Country	9.2	4.7	--	4.6
No information	29.2	47.0	14.1	38.6
7.2 Duration of Marriage	(n=338)	(n=359)	(n=76)	(n=48)
1 - 2 years	5.6	6.7	--	2.1
3 - 5 years	20.4	17.5	13.2	6.3
6 -10 years	34.6	28.4	23.7	18.8
11 -15 years	18.0	14.5	10.5	25.0
16 -25 years	16.9	18.1	27.6	22.9
26+ years	4.4	14.8	25.0	25.0
No information	16.7	11.6	10.6	31.4
7.3 Marital Breakdown Status	(n=404)	(n=401)	(n=85)	(n=65)
Divorced	61.1	55.9	63.5	55.4
Separated	38.9	44.1	36.5	44.6
No information	3.3	1.2	--	7.1
7.4 Date of Separation/ Divorce	(n=350)	(n=327)	(n=53)	(n=37)
1980-1975	58.8	64.5	50.9	51.4
1974-1970	28.2	27.9	41.6	37.8
1969-1965	9.9	7.3	7.5	10.8
1964-1951	3.1	0.3	--	--
No information	16.3	19.5	37.6	50.6

Table 7 (Continued)

	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
7.5 Grounds for Divorce	(n=127)	(n=195)	(n=40)	(n=19)
Marital Offence	41.7	46.7	42.5	57.9
Marital Breakdown	55.2	49.7	57.5	42.1
Both	3.1	3.6	--	--
No information	69.6	51.9	52.9	70.0
7.6 Number of Dependent Children	(n=407)	(n=400)	(n=84)	(n=66)
One	30.8	31.1	30.9	30.3
Two	38.4	32.7	34.7	24.3
Three	16.9	18.7	17.9	24.3
Four	6.6	10.0	10.7	12.1
Five-Ten	5.1	5.5	3.5	9.0
None	2.2	2.0	2.3	--
No information	2.6	.4	1.1	5.7
7.7 Custody Awarded to:	(n=382)	(n=391)	(n=83)	(n=66)
Husband	1.3	1.0	--	1.5
Wife	72.5	90.0	97.6	97.0
Both Husband and Wife	24.4	7.9	--	1.5
No Custody Awarded	1.6	1.0	2.4	--
No Children	2.7	2.0	2.4	5.7
No information	5.3	1.7	--	--
7.8 Terms of Access To Children	(n=254)	(n=250)	(n=53)	(n=38)
Reasonable	74.0	88.8	92.4	81.6
Specified	18.9	9.2	5.7	18.4
Restraining Order	7.1	2.0	1.9	--
No Children	2.6	1.9	2.3	5.7
No information	36.6	36.5	35.3	40.0

Table 7 (Continued)

	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
7.9 Matrimonial Home Awarded To:	(n=120)	(n=38)	(n=12)	(n=09)
Husband	7.5	7.9	33.3	33.3
Wife	41.6	55.3	41.7	44.5
Both	8.3	28.9	25.0	22.2
No Home	42.6	7.9	--	--
No information	71.2	90.7	85.9	87.1

2.4 Characteristics of the Original Maintenance Award

Information concerning the original maintenance order was coded from the Decree Nisi/Minutes of Settlement or a Maintenance Order issued through the Family Court. Interim awards, provisional orders or separation agreements superceded by a Decree Nisi were disregarded as the "original" order. Information in these cases was coded from the Nisi.

The characteristics of the awards included: the applicant and initiating agency; source; adjudicating court and act governing the award; payment arrangements; recipient of the award; term, type and amount of the awards for spouses and children; and the total monthly amount of the award.

2.4.1 Applicant/Requesting Agency

It can be seen in Table 8.1 that applications for maintenance were always signed by an individual spouse, who in most cases (97%) was the wife. There were very few cases (see Table 8.2) that had an application for maintenance filed through Alberta Social Services and Community Health or a third party. **

2.4.2 Source of Order/Adjudicating Court/Legislative Act.

Approximately half of the maintenance awards were issued through Alberta Supreme Courts under Divorce Act legislation (see Tables 8.3 and 8.4). Most of the remaining cases were issued through Alberta Family Courts under the Domestic Relations Act (DRA). The exception, Calgary, had 31% of its cases issued through out of province courts.

The order in effect at the time of the study tended to originate at the time of the Nisi award. (see Table 8.5). In Lethbridge and Grande Prairie there appeared to be a greater tendency for awards to be initiated in Family courts (see Table 8.3) and subsequently became part of the Decree Nisi settlement agreement (see Table 8.5).

2.4.3 Payment Arrangements

When arrangements for making payments were mentioned in the court files, most of the cases were to pay through the Family Court (see Table 8.6).

2.4.4 Term of the Award

From the information in Table 8.7 it can be seen that most of the awards in the sample were continuing awards. Sixteen percent of the Edmonton cases were interim awards.

** On June 1, 1979, legislation was proclaimed in Alberta which transferred to the Government all rights to maintenance payments for people receiving social assistance. That is, any payments ordered by the courts are directed to the Department of Social Services and Community Health when the person is receiving social assistance.

2.4.5 Duration of the Orders at the Time of Study

Approximately one-third to three-quarters of the awards had been in effect for five years or less (see Table 8.8) at the time of the study. There was a sharp decline in the number of awards that remained current for more than 10 years. The relatively higher proportion of recent Edmonton cases was probably a reflection of the different active and inactive file storage procedures used in each court.

2.4.6 Recipient of the Award

A majority of the awards registered in the Family Court were for children only. Approximately 36% were for wives and children as separate or continued awards and less than 3% were for spouses only. There were four cases that had maintenance awarded in favour of the husband.

There was a significant difference in the recipients of awards registered in Calgary and Edmonton Courts. The Edmonton Family Court was more likely than the Calgary Family Court, to register awards for children only (see Table 9).

Table 9

Relationship Between Court Location and Recipients of Maintenance Awards

Recipient of Award	Court Location	
	Calgary	Edmonton
	%	%
Children only	55.5	68.4
Spouse and Children	44.5	31.6
Number of Cases	389	392
Chi^2	13.1 p .01	

2.4.7 Type of Awards for Spouses

Generally, maintenance awards granted to spouses were periodic awards. There were fewer nominal awards in Calgary (17%) and more lump sum awards in Grande Prairie (22%) than in the other courts (see Table 8.10).

2.4.8 Amount of Award for Spouses

The amount of the awards granted to spouses is presented according to the type of award in Table 8.11. A majority (53%) of the lump sum payments to spouses were between $1,000 and $10,000.

Table 8

Characteristics of the Original Maintenance Award

Characteristics	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
	%	%	%	%
8.1 Applicant	(n=414)	(n=404)	(n=85)	(n=70)
Husband	5.3	2.9	--	--
Wife	94.7	97.1	100.0	100.0
No information	1.0	0.5	--	--
8.2 Request for Award By:	(n=411)	(n=404)	(n=85)	(n=70)
Wife	90.8	97.6	100.00	100.0
Third Party (M & R, SS & CH)	3.4	1.7	--	--
Third Party REMO	0.2	0.7	--	--
Husband	5.6	--	--	--
No information	1.6	0.4	--	--
8.3 Court Making Original Award	(n=415)	(n=406)	(n=85)	(n=70)
Alberta Supreme Court	48.2	49.2	63.5	48.6
Alberta Family Court	20.0	42.9	36.5	51.4
Out-of-Province Supreme Court	12.3	2.7	--	--
REMO Family Court	19.5	5.2	--	--
No information	0.7	--	--	--
8.4 Act under which the Original Order was Made	(n=415)	(n=404)	(n=85)	(n=70)
Divorce Act	57.6	53.5	63.5	48.6
Supreme Court Using DRA or Judicial Separation	2.8	2.0	--	--
Family Court Using DRA	39.5	44.6	36.5	51.4
No information	0.7	0.5	--	--

Table 8 (Continued)

Characteristics	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
	%	%	%	%
8.5 Source of the Current Order	(n=414)	(n=403)	(n=84)	(n=70)
Decree Nisi	57.4	56.0	72.6	57.1
Family Court Maintenace Order	42.6	44.0	27.4	42.9
No information	0.9	0.7	1.2	--
8.6 Payments Made Through:	(n=153)	(n=270)	(n=85)	(n=70)
Family Court	86.9	98.5	100.0	100.0
Other Arrangement	13.1	1.5	--	--
No information	63.4	33.5	--	--
8.7 Term of the Award	(n=401)	(n=367)	(n=85)	(n=70)
Interim	3.2	16.6	--	7.1
Continuing	96.8	83.4	100.0	92.9
No information	4.3	9.6	--	--
8.8 Duration of Orders at Time Of Study	(n=418)	(n=374)	(n=85)	(n=69)
1 Year (1979)	9.6	18.7	21.1	11.6
2-5 Years (1978-1975)	54.6	58.1	43.6	44.9
6-10 Years (1974-1970)	23.4	19.5	30.6	28.9
11-20 Years (1969-1960)	8.6	3.7	4.7	14.6
21+ Years (Prior to 1960)	3.8	--	--	--
Not applicable	--	2.9	--	1.4

Table 8 (Continued)

Characteristics	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
	%	%	%	%
8.9 Recipient of the Award	(n=414)	(n=406)	(n=85)	(n=69)
Wife only	5.5	3.2	3.5	1.4
Husband only	0.4	0.2	--	--
Wife and Children	9.4	8.4	4.7	5.8
Husband and Children	0.2	--	--	--
Children Only	52.3	66.0	56.5	60.9
Wife and Children as Separate Awards	32.2	22.2	35.3	31.9
No information	1.0	--	--	1.4
8.10 Type of Award For Spouse	(n=192)	(n=169)	(n=37)	(n=27)
$1. or Nominal	16.8	29.6	32.4	22.2
Lump Sum	8.9	9.5	10.8	22.2
Periodic	72.3	60.3	48.7	55.6
Lump Sum and Periodic	2.0	0.6	8.1	--
No information	2.5	5.5	--	--

Table 8 (Continued)

CHARACTERISTICS	Frequency Distribution											
	Calgary			Edmonton			Lethbridge			Grande Prairie		
	Nominal	Lump Sum	Periodic	Nominal	Lump Sum	Periodic	Nominal	Lump Sum	Periodic	Nominal	Lump Sum	Periodic
8.11 Amount of Award for Spouse **	% (n=31)	% (n=17)	% (n=65)	% (n=18)	% (n=13)	% (n=58)	% (n=0)	% (n=7)	% (n=13)	% (n=1)	% (n=4)	% (n=6)
$1-2.	100.0	--	--	94.4	--	3.4	--	--	--	100.0	--	--
$3 -100.	--	--	24.6	5.6	--	34.5	--	--	30.0	--	--	16.7
$101-200.	--	--	36.9	--	--	46.6	--	--	60.0	--	--	83.3
$201-500.	--	5.9	30.8	--	--	10.3	--	--	10.0	--	--	--
$501-1,000.	--	5.9	7.7	--	--	5.2	--	--	--	--	--	--
$1,001-$10,000.	--	53.0	--	--	53.8	--	--	57.1	--	--	50.0	--
$10,000. plus	--	35.2	--	--	46.2	--	--	42.9	--	--	50.0	--

** These amounts do not include combined awards for spouse and children or awards for children only. In addition lump sum/periodic awards have been excluded.

Table 8 (Continued)

Characteristics	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
	%	%	%	%
8.12 Number of Children Awarded Maintenance	(n=385)	(n=381)	(n=82)	(n=66)
One	32.8	33.0	34.1	30.4
Two	39.8	34.2	34.2	28.8
Three	15.9	18.5	18.3	19.7
Four	6.4	10.0	9.7	12.1
Five-Ten	5.1	4.3	3.6	9.0
No information	7.9	6.2	3.5	5.7
8.13 Type of Award For Children	(n=392)	(n=391)	(n=82)	(n=70)
Periodic	99.7	100.0	100.0	100.0
Lump Sum and Periodic	0.3	--	--	--
No information	6.2	3.7	3.5	--
8.14 Amount of Award For Children	(n=358)	(n=392)	(n=82)	(n=60)
$1.-50.	43.1	41.8	53.7	53.4
$51.-75.	18.7	24.0	20.8	26.7
$76.-125.	26.6	24.2	19.5	18.3
$126.-200.	8.1	6.6	4.8	1.6
$201-1,000.	1.9	1.3	1.2	--
$1,001. plus	1.6	2.0	--	--
% of Cases No Information/ Not Stated	14.4	2.0	3.5	14.3

The remaining Edmonton lump sum payments and one-third of the Calgary lump sum payments were more than $10,000.00

Periodic payments to spouses tended to be less than $200.00 per month except for Calgary, where 38% of the cases had payments of more than $200.00.

2.4.9 Number of Children Awarded Maintenance.

A comparison of Table 7.6 and Table 8.12 indicates that in most cases, the dependent children in a family tended to receive maintenance awards. Families with one or two dependent children were more likely to be without maintenance than larger families.

2.4.10 Type of Award for Children

Table 8.13 indicates that all awards for children were periodic awards although one Calgary case also received a lump sum payment.

2.4.11 Amount of Award for Children

The average amount of maintenance awarded to children tended to be $1-50 for month in most courts. An additional 21% (approximately) of the cases received awards of $76-125 per month.

2.4.12 Amount of Total Monthly Payments

Table 8.15 identifies the total monthly payments according to the recipients of the awards. The amounts of awards for spouses only and children only tended to range between $1 - 200 per month. Awards for spouses and children were marginally higher with approximately 30% of the cases in all courts but Lethbridge receiving awards of between $201 - 500 per month.

2.5 Characteristics of Default Order Cases

There were 434 cases with at least one default order in the file (Calgary, 217; Edmonton, 208; Lethbridge 2; Grande Prairie, 7). Information collected about these default order cases included: applicant, date and presiding judge; and spouses' residence, current family status, and source of income. Information concerning the employment status, assets, debts and expenses of spouses was so limited that the tables are presented without comment in Appendix D.

2.5.1. Applicant, Date and Presiding Judge of Default Order Cases.

A large majority (88%) of the default hearings were initiated by the wife. Evidence of a complaint filed by Maintenance and Recovery on Alberta Social Services was indicated in 9% of the cases (see Table 10.1). Approximately three quarters of the complaints were filed after 1976 (see Table 10.2). Five judges in both Calgary and Edmonton presided over 94% of the default hearings. The remaining cases were adjudicated by 8 Calgary and 6 Edmonton judges. There were too few cases presided over by one judge in Lethbridge and Grande Prairie to permit comment.

2.5.2 Residence of Spouses

At the time of default most of the wives resided in the city where the order was placed or in another Alberta city. Husbands were more transient particularly in the Calgary sample, where 41% of the husbands resided in Canadian provinces other than Alberta at the time of default (see Table 10.4.)

2.5.3 Respondents' Family Status

Table 10.5 indicates that 28% of the husbands had remarried by the time a complaint of default was issued against them. Of those married cases 45% and 60% of the Calgary and Edmonton cases respectively were without children (Table 10.6). The information gathered did not distinguish between children brought to the marriage by the new spouse and children which were the product of the remarriage.

2.5.4 Spouses' Source of Income

While there were a large number of missing cases evident in Table 10.7, the proporation of wives receiving social assistance at the time of default is probably a reliable finding. Sixteen percent of the Calgary, 22% of Edmonton and 20% of the Grande Prairie wives receiving social assistance at the time of default.

Table 10

Characteristics of Default Order Cases

Characteristics	Frequency Distribution			
	Calgary	Edmonton	Grande Prairie	Lethbridge
	%	%	%	%
10.1 Complaint Made By:	(n=207)	(n=199)	(n=02)	(n=07)
Wife	87.5	87.4	100.0	100.0
Third Party (M & R, ASSCH)	6.7	10.1	--	--
Third Party REMO	5.8	2.5	--	--
No information	4.6	4.3	--	--
10.2 Complaint Made In:	(n=196)	(n=185)	(n=02)	(n=07)
1979	34.8	29.2	100.0	14.2
1977-1978	43.9	43.8	--	57.4
1975-1976	7.6	14.6	--	14.2
1974-1970	10.2	10.8	--	14.2
1969 or earlier	3.5	1.6	--	--
No information	9.7	11.1	--	--
10.3 Presiding Judge	(n=194)	(n=208)	(n=02)	(n=05)
Judge #01	10.8	--	--	--
Judge #02	--	12.0	--	--
Judge #03	19.6	--	--	--
Judge #05	20.1	--	--	--
Judge #06	--	25.1	--	--
Judge #07	13.9	--	--	--
Judge #11	28.4	19.2	--	--
Judge #13	--	24.1	--	--
Judge #15	--	13.9	--	--
Other Judges	7.2	4.8	100.0	100.0
No information	10.6	--	--	--

Table 10 (Continued)

Characteristics	Frequency Distribution							
	Calgary		Edmonton		Lethbridge		Grande Prairie	
	Husband	Wife	Husband	Wife	Husband	Wife	Husband	Wife
	%	%	%	%	%	%	%	%
10.4 Spouse's Residence	(n=203)	(n=2-8)	(n=194)	(n=194)	(n=02)	(n=02)	(n=07)	(n=07)
Calgary	49.2	74.9	2.0	0.5	--	--	--	--
Edmonton	3.2	5.4	76.4	78.9	100.0	100.0	42.8	100.0
Other Alberta	5.0	15.9	8.2	19.8	--	--	--	--
Other Canadian Province	41.3	3.4	12.9	0.5	--	--	57.2	--
Out of Country	1.3	0.4	0.5	0.5	--	--	--	--

Table 10 (Continued)

Characteristics	Frequency Distribution			
	Calgary	Edmonton	Lethbridge	Grande Prairie
	%	%	%	%
10.5 Respondent Head of Another Family	(n=215)	(n=208)	(n=02)	(n=05)
Yes	26.9	29.8	50.0	80.0
No	73.1	70.2	50.0	20.0
10.6 Number of Children in the Family	(n=51)	(n=84)	(n=02)	(n=05)
None	45.2	59.6	50.0	60.0
One	29.41	17.8	--	--
Two-Three	17.6	20.3	--	20.0
Four +	7.8	2.3	50.0	20.0

Table 10 (Continued)

Characteristics	Frequency Distribution							
	Calgary		Edmonton		Lethbridge		Grande Prairie	
	Husband	Wife	Husband	Wife	Husband	Wife	Husband	Wife
	%	%	%	%	%	%	%	%
10.7 Source of Income At Time of Default	(n=216)	(n=214)	(n=208)	(n=204)	(n=02)	(n=02)	(n=05)	(n=05)
Employment	46.3	7.5	69.3	12.7	100.0	--	20.0	40.0
Unemployment Insurance	.9	--	.9	.9	--	--	--	--
Workers Compensation	.5	--	.5	--	--	--	--	--
Social Assistance	.5	15.8	1.5	22.2	--	--	--	20.0
Other	.9	1.9	2.8	1.4	--	--	--	--
Not Stated	50.9	73.8	25.0	62.8	--	100.0	80.0	40.0

2.6 Enforcement Procedures

Enforcement procedures open to the court included issued summonses and warrants, show cause hearings and prison committal orders. The responses to enforcement were payment of the arrears, an order of arrears revising the amount of the arrears, a request to vary the amount of the order or maintenance for non-payment. The information in this section indicates the extent of enforcement taken against cases in the sample, the incidence of enforcement procedures and the number of variation of order hearings.

2.6.1 Degree of Enforcement

Before reviewing the results, a word of explanation should be given concerning Table 11.1. "No enforcement", in practice meant that there was no evidence of summonses, warrants and/or prison committal orders in the files. In Edmonton, Calgary and Lethbridge, this probably meant that no enforcement procedures had been taken. The Grande Prairie data should be viewed with caution given the large amount of missing information in the files. The figure of 50% showing no enforcement may be inflated by missing information. For this reason the Grande Prairie sample has been excluded from the discussion.

The summons issued category indicates that there had been one or more unserved or served summonses, but no evidence of warrants or prison commital orders issued.* The "warrants" issued category contains cases where there were one or more warrants issued; there probably were also summonses but there were no prison commital orders. Cases in the "prison committal order" category probably also included summonses and warrants.

The Edmonton sample showed the highest degree of enforcement as 87% of the cases had at least a summons issued. The corresponding figures for Calgary and Lethbridge were 74% and 79% respectively. The difference between the courts is most evident in the number of warrants and prison committal orders issued.

Table 12 compares the enforcement of cases in Calgary and Edmonton, and shows that the difference between the two was statistically significant. The lower level of enforcement in Calgary may be because of a poor record keeping system. It is interesting to note that cases for which CIR researchers were able to locate ledger cards in Calgary were enforced at nearly the same level as Edmonton cases in general. This can be seen in Table 13.

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* The warrants and prison comittal orders refer only to the non-payment of maintenance orders.

Table 11

Enforcement Procedures

11.1 Degree of Enforcement	Calgary	Edmonton	Lethbridge	Grande Prairie
	(n=418) %	(n=406) %	(n=82) %	(n=70) %
No Enforcement	25.6	12.8	20.7	50.0
Summonses Issued	55.0	59.9	59.8	32.9
Warrants Issued	11.0	15.3	13.4	12.9
Prison Committal Order	7.7	12.1	6.1	4.3
11.2 Number of Summons	(n=418) %	(n=406) %	(n=85) %	(n=70) %
a) Unserved				
0	75.4	59.6	55.3	80.0
1	16.7	19.2	28.2	17.5
2	4.3	8.9	11.8	1.3
3-5	1.9	8.9	4.7	1.3
6 or More	1.7	3.4	-	-
b) Served				
0	40.0	25.1	27.1	60.0
1	42.3	45.6	44.7	27.1
2	10.8	16.5	15.3	8.6
3-5	4.8	11.3	11.8	4.3
6 or More	2.2	1.5	1.2	-
11.3 Number of Warrants	(n=418) %	(n=406) %	(n=85 %	(n=70) %
a) Unserved				
0	92.1	85.7	92.9	88.6
1	6.0	6.2	4.7	10.0
2	0.7	2.7	2.4	1.4
3-5	0.7	2.4	-	-
6-10	0.5	3.0	-	-
b) Served				
0	92.3	86.2	88.2	92.9
1	4.3	9.6	7.1	4.3
2	1.9	3.0	3.5	2.9
3-5	1.4	1.2	1.2	-
6-10	-	-	-	-

Table 11, cont.

11.4 Prison Committal Order/ Number of Imprisonments	(n= 34) %	(n= 49) %	(n= 6) %	(n= 3) %
0	41.2	24.6	33.3	-
1	50.0	53.1	33.3	100.0
2	8.8	14.2	33.3	-
3-5	-	8.1	-	-
11.5 Number of Show Cause Hearings	(n=162)	(n=209)	(n-31)	(n=10)
1	62.4	47.9	74.3	90.0
2	24.7	23.9	6.4	10.0
3	6.8	13.4	6.4	-
4 Plus	6.1	14.8	12.9	-
11.6 Variation of Order Hearings	(n=62)	(n=154)	(n=05)	(n=06)
1	90.4	64.2	100.0	100.0
2	9.6	35.8	-	-

Table 12

Relationship Between Enforcement and Court Location

Enforcement	Court Location	
	Calgary	Edmonton
No Enforcement	25.6	12.7
Enforcement	74.4	87.3
Number of Cases	414	401
	Chi^2 20.8, $.001 > p$	

Table 13

Relationship between Enforcement and the Presence of a Ledger Card in Calgary Family Court

Enforcement	Ledger Card	No Ledger Card
	%	%
No enforcement	18.6	34.2
Enforcement	81.4	65.8
Number of Cases	226	184
Chi^2 11.5 $p < .01$		

2.6.2 Number of Issued Summonses

This descriptive information is given in Table 11.2. It should be stated that a single case could contain served and unserved summonses and served and unserved warrants. One thing of note is the fairly substantial number of cases in Edmonton containing three or more served and unserved summonses.

2.6.3 Number of Issued Warrants

Again, there were more instances of warrants both served and unserved in Edmonton than in the other three courts. One case out of every seven contained an unserved warrant and a similar proportion contained a served warrant.

2.6.4 Prison Committal Orders/Number of Imprisonment

Prison committal orders were issued in Calgary to 8%, Edmonton 12%, Lethbridge 6%, and Grande Prairie 4% of the samples. Of these cases (see Table 11.4), note that in Calgary and Edmonton approximately 50% of the cases were incarcerated once. In Edmonton 22% of those issued with prison committal orders went to jail two or more times for non-payment of maintenance. Generally, prison committal orders in Lethbridge and Grande Prairie were followed by imprisonment.

2.6.5 Number of Show Cause Hearings

Enforcement led to show cause hearings in Calgary for 39%, Edmonton 52%, Lethbridge 36% and Grande Prairie 14% of the sampled cases. The number of show cause hearings held for each case was generally one or two (see Table 11.5). However, Edmonton and Lethbridge had 15% and 13% of the cases respectively in court for four or more hearings.

2.6.6 Number of Variation of Order Hearings

Requests to vary the amount of maintenance were made by 15% of Calgary, 38% of Edmonton, 6% of Lethbridge and 9% of the Grande Prairie sampled cases. Most of the requests were single applications except for Edmonton where 36% of the sample applied for two to three variations of the order.

3. Analysis of Factors That Were Associated With Payment Or Default of the Maintenance Award

This section of the report presents an analysis of the individual, marital and divorce, maintenance order and default order characteristics associated with payment and default of the maintenance awards. The data used in this analysis was drawn solely from the Edmonton Family Court records. Too few payment records of cases from the other courts were available to permit a similar exploration of the findings in those courts.

3.1 Individual Characteristics of Spouses

Information concerning the ages, and previous marital status of the spouses was not available in the court records. This section presents associations between the wives' source of income, the residence of spouses and payment of maintenance.

3.1.1 Income of Wife

There was a significant association between the source of income for the wife and payment of maintenance. Wives on social assistance were more likely to receive full or no payment than those with other sources of income.

Table 13

Relationship Between Source of Wives' Income

and Payment of Maintenance

Payment Record	Source of Income of Wife	
	Social Assistance	Other
Full Payments	37.8%	29.3%
Partial Payments	36.4%	55.1%
No Payments	25.7%	15.6%
Number of Cases	74	256
$\text{Chi}^2 = 8.46$, $0.01 > p$		

3.1.2 Residence of Spouses

For those cases with a default order, the residence of the spouses at the time of default was not associated with payment recorded in the order. Husbands who resided in the same city or province as their originating order were as likely to be defaulters as payers (see Table 14). Similarly, the residence of the wife was not associated with the payment record of the husband.

Table 14

Relationship Between the Residence of the Spouses at the Time of Default and Payment of Maintenance Awards

Payment Record	Residence of Spouses at Time of Default		
	Edmonton	Other Alberta	Other Province
A. Husbands	%	%	%
Full Payments	32.3	42.1	34.6
Partial Payments	47.6	36.8	42.3
No Payments	20.2	21.0	23.1
Number of Cases	124	19	26
B. Wives	%	%	%
Full Payments	35.8	28.9	--
Partial Payments	43.5	50.0	100.0
No Payments	20.6	21.1	--
Number of Cases	131	38	1

3.2 Marital and Divorce Characteristics

Characteristics of the marriage and divorce that may have been associated with payment of maintenance included: the duration of the marriage, the time between the divorce and filing for enforcement of the order, the grounds for divorce, the number and age of dependent children, and the outcomes of custody, access and property settlements. Information related to the grounds for divorce and property settlements was too limited to warrant analysis.

3.2.1 Duration of Marriage

There was no linear association between the duration of the marriage and payment of maintenance awards. Full payments and no payments were equally likely to occur among cases with long or short marriages.

Table 15

Relationship Between the Duration of Marriage and Payment of Maintenance Awards

Payment Record	Duration of Marriage		
	1 to 5 years	6 to 15 years	more than 15 years
	%	%	%
Full Payments	34.9	37.0	34.4
Partial Payments	38.6	45.7	38.4
No Payments	26.5	17.3	27.1
Number of Cases	83	127	96
$\text{Chi}^2 = 3.9$, $.10 > p$			

3.2.2 Number of Dependent Children

The number of dependent children did not influence the likelihood that payments would be made on maintenance awards. The slight tendency for cases with one child to be paid more frequently than other cases was not statistically significant.

Table 16

Relationship Between Number of Dependent Children and Payment of Maintenance Awards

Payment Record	Number of Dependent Children		
	One	Two-Three	Four or More
	%	%	%
Full Payments	43.0	33.3	31.0
Partial Payments	37.2	44.4	20.
No Payments	19.8	22.2	9.
Number of Cases	86	144	42
$\text{Chi}^2 = 2.9$, $.10 > p$			

3.2.3 Age of Children

There was a slight indication that children less than seven years of age were more likely to receive full payments on their awards than children older than six years. This tentative association was stronger for cases with two dependent children (see Table 18) than for one child families (Table 17). It should be noted that neither of the two associations were statistically significant at the 5% level.

Table 17

Relationship Between Age of Child in One Child Families and Payment of Maintenance Awards

Payment Record	Age of Child	
	0 to 6 years	7 years or more
	%	%
Full Payments	41.8	46.2
Partial Payments	41.8	23.1
No Payments	16.4	30.8
Number of Cases	55	26
	$\text{Chi}^2 = 10.2,\ 0.20 > p$	

Table 18

Relationship Between Age of Children in Two Child Families and Payment of Maintenance Awards

Payment Record	Age of Children		
	Both 0-6 years	One 0-6 and other 7 or more	Both 7 or more
	%	%	%
Full Payments	37.5	39.5	30.8
Partial Payments	27.5	50.0	46.2
No Payments	35.0	10.5	23.1
Number of Cases	40	38	91
$\text{Chi}^2 = 10.2,\ 0.05 > p$			

3.2.4 Custody and Access Agreements

Payment of maintenance was not associated with the presence of a custody award. Since most custody awards were granted in favour of the wife, a further analysis of the likelihood of payment when custody was granted to both spouses was prevented. Similarly, access arrangements were generally "reasonable" agreements between spouses and there was little difference in the payment records of these cases.

3.3 Characteristics of the Maintenance Award

It was suggested that payment of awards may have been associated with the duration and amount of the orders. No association was found in either case.

3.3.1 Duration of the Order

At the time of the study, maintenance awards ordered less than five years ago were as likely to receive full or no payments as awards in effect for more than five years (see Table 19).

Table 19

Relationship Between the Duration of the Order at the Time of the Study and Payment of Maintenance Awards

Payment Record	Duration of Order			
	1 - 2 years	3 - 5 years	6 - 10 years	more than 10 years
	%	%	%	%
Full Payments	31.1	37.1	36.0	45.8
Partial Payments	47.5	37.9	44.0	37.5
No Payments	21.3	25.0	20.0	16.7
Number of Cases	122	124	75	24
$Chi^2 = 3.9,\ 0.95 > p$				

3.3.2 Amount of the Order

Awards of $1-200 per month were no more likely to be fully paid than awards of more than $200 per months.

Table 20

Relationship Between the Amount of the Order and Payment of Maintenance Awards

Payment Record	Amount of Order	
	$1 to $200.	$201 to $1,500.
	%	%
Full Payments	37.9	28.8
Partial Payments	40.9	48.8
No Payments	21.2	22.5
Number of Cases	264	80
$Chi^2 = 2.4,\ 0.50 > p$		

3.4 Default Order Characteristics

At the time of default, the marital status of husbands and the length of time between the divorce or separation and filing the complaint of default were considered factors that might influence payment of maintenance. The association between these factors and payment of maintenance is presented below.

3.4.1 Marital Status of Husbands

There was no association between the marital status of husbands at the time of default and payment of maintenance.

Table 21

Relationship Between Marital Status of Husbands and Payment of Maintenance Orders

Payment Record	Marital Status	
	Remarried	Not Married
	%	%
Full Payments	36.0	36.8
Partial Payments	46.0	43.2
No Payments	18.0	20.0
Number of Cases	50	95

Chi^2 = 6.1, $0.20 > p$

3.4.2 Time Between Divorce and Filing A Complaint of Default.

There was no association between filing a complaint of default within a short or long time after divorce and payment on the award. Complaints filed within two years were no more likely to be paid than complaints filed after two years had lapsed between the divorce and filing the complaint (see Table 22).

Table 22

Relationship Between the Time Taken to File a Complaint of Default and Payment of Maintenance Awards

Payment Record	Time Between Divorce and Filing a Complaint of Default			
	1 year	2 years	3 to 4 years	5 or more years
	%	%	%	%
Full Payments	45.3	33.3	57.1	34.8
Partial Payments	35.8	33.3	21.4	43.5
No Payments	18.9	33.3	21.4	21.7
Number of Cases	53	33	14	23

Chi^2 = 3.0, $0.95 > p$

4. Analysis of Factors that were Associated with the Amount of the Maintenance Award.

The findings presented in this section concern characteristics associated with the amount of maintenance ordered by the Edmonton Family Court. The characteristics identified in the Study's Terms of Reference included: age and financial characterists of spouses; duration of marriage and grounds for divorce, the age of the children and the identity of the presiding judge. The extent of missing data prevented any analysis of associations between the amount of maintenance and financial characteristics of spouses, the identity of the presiding judge or grounds for the divorce.

The amount of maintenance used in this analysis included the periodic amounts awarded to spouses and children only. These monthly amounts were weighted to prevent differences attributable to inflation from affecting the findings.

4.1 Age of Spouses and Duration of Marriage

There was no association between the amount of maintenance awarded to wives and the age of the husband and wife or the duration of the marriage (see Table 23).

Table 23

Relationship Between Age of Spouses, Duration of Marriage and the Amount of Maintenance for Wives.

Measure of Association	Characteristic		
	Age of Husband	Age of Wife	Duration of Marriage
Number of Cases	255	198	257
Spearman's Correlation Coefficient	-0.08	-0.04	.01
Level of Significance	.09	.27	.428

4.2 Ages of Children

A comparison of the mean amounts awarded to children of one child families who were six years or less at the time of application and those who were more than six years (see Table 24) indicates no significant association between the age of the child and the amount of maintenance awarded to the child.

Table 24

Relationship Between Age of Child in One Child Families and Amount of Maintenance for the Child

Age of Child	Number of Cases	Mean Amount	Standard Derivation
0-6 yrs.	39	114.8	64
7 +	12	113.0	49

Similarly, in families with two children, there was no association between the amount of maintenance awarded to families where both children were less than 7 years old, one child was less than seven and the other 7 years or more, or both children were 7 years or more. (Table 25).

Table 25

Relationship Between Age of Children in Two Child Families and Amount of Maintenance for Children

Age of Child	Number of Cases	Mean Amount	Standard Derivation
Both 7 years	26	86.0	40.1
<7 and >6	22	98.4	40.6
Both >6	19	94.6	31.8

5. ANALYSIS OF FACTORS ASSOCIATED WITH ENFORCEMENT OF MAINTENANCE AWARDS

The following analyses present the associations between individual, marital and maintenance order characteristics and the extent of enforcement among maintenance order cases from Calgary and Edmonton. The extent of enforcement was defined as cases without enforcement, those with an issued summons, those with an issued warrant on cases with a prison committal order.

5.1 Individual Characteristics of Spouses

The individual characteristics of spouses of interest to the study were the source of income of the wife and current marital status of the husbands. Associations between those characteristics and the extent of enforcement follow.

5.1.1 Wife's Source of Income

Table 26 indicates that in Edmonton, there was no significant association between the wife's source of income and the extent of enforcement. In Calgary, it was significant that wives receiving social assistance were less likely to have their orders enforced than wives dependent upon other sources for income support. (Chi^{2} = 8.2 $p < .01$)

Table 26

Relationship between Wife's Source of Income and the Extent of Enforcement

Extent of Enforcement	Source of Income			
	Calgary		Edmonton	
	Social Assist.	Other	Social Assist.	Other
	%	%	%	%
No enforcement	41.9	24.7	11.3	13.3
Summons issued	48.6	58.4	57.5	60.7
Warrant issued	1.4	9.3	17.0	14.7
Prison Committal Order	8.1	7.6	14.2	11.3
Number of Cases	74	344	106	300

5.1.2 Husband's Current Family Status

There was no significant relationship found between the current family status of the husbands at the time of a complaint of default and the degree of enforcement.

5.2 Marital and Divorce Characteristics

Characteristics upon the marriage or divorce that may have been associated with the extent of enforcement included; the duration of the marriage, the number and agesof children, and the terms of access to the children after the divorce.

5.2.1 Duration of Marriage

The duration of marriage was not significantly associated with the extent of enforcement in either Calgary of Edmonton. Longer marriages in Edmonton appeared to have experienced more rigorous enforcement than shorter marriages but the association was not statistically significant.

Table 28

Relationship Between the Duration of Marriage and Extent of Enforcement

Extent of Enforcement	Duration of Marriage					
	Calgary			Edmonton		
	1-5 yrs.	6-15 yrs.	16+ yrs.	1-5 yrs.	6-15 yrs.	16+ yrs.
	%	%	%	%	%	%
No enforcement	28.4	23.6	23.6	21.0	17.2	15.9
Summons issued	51.1	55.6	54.2	59.7	56.3	49.6
Warrant issued	12.5	12.3	15.3	9.7	12.5	15.0
Prison Commital Order	8.0	8.4	6.9	9.7	14.1	19.5
Number of Cases	88	178	72	62	128	113

5.2.2 Number of Children

Table 29 indicates there was no significant association between the number of children from the marriage and the extent of enforcement in either Calgary or Edmonton.

Table 29

Relationship Between the Number of Children and Extent of Enforcement

Extent of Enforcement	Number of Children					
	Calgary			Edmonton		
	One	2-3	4 +	One	2-3	4 +
	%	%	%	%	%	%
No enforcement	24.2	27.6	35.6	9.8	17.6	13.9
Summons issued	56.3	57.6	53.3	59.8	58.8	46.5
Warrant issued	8.6	7.8	6.7	30.4	12.9	11.6
Prison Committal Order	10.9	6.9	4.4	17.6	10.6	27.9
No. of Cases	128	217	45	102	170	43

5.2.3 Age of Children

In Calgary, there was no significant association between the age of the oldest child and the extent of enforcement. In Edmonton, when the eldest child was less than 7 years of age, they were less likely to have their maintenance orders enforced than children who were 7 years or more. ($\text{Chi}^2 = 15.2$, p .01)

Table 30

Relationship Between Age of Child in One Child Families and Extent of Enforcement

Extent of Enforcement	Age of Child			
	Calgary		Edmonton	
	0-6 yrs. %	7 + %	0-6 yrs. %	7 + %
No enforcement	26.0	27.9	34.0	14.9
Summons issued	55.0	59.4	43.3	55.2
Warrant issued	8.4	4.8	11.3	12.6
Prison Committal Order	10.7	7.9	11.3	17.2
No. of Cases	131	165	150	174

5.2.4 Terms of Access

There was no significant association between the terms of access and extent of enforcement. Husbands with reasonable access were just as likely to experience energetic enforcement as husbands with specified access. The small number of cases in Edmonton prevents a more definite analysis of this relationship.

Table 31

Relationship Between Access Arrangements and the Extent of Enforcement

Extent of Enforcement	Access Arrangements						
	Calgary				Edmonton		
	Reasonable	Specified	Restraining Order		Reasonable	Specified	Restraining Order
	%	%	%		%	%	%
No Enforcement	21.3	27.0	33.3		11.1	15.8	66.7
Summons issued	61.2	54.2	50.0		37.5	52.6	16.7
Warrant issued	10.6	6.3	5.6		8.4	10.5	16.7
Prison Committal Order	6.9	12.5	11.1		9.1	21.1	--
No. of Cases	188	48	18		296	19	6

5.3 Maintenance Order Characteristics

Associations between the amount of awards for children, the total monthly payments and the extent of enforcement is presented below.

5.3.1 Amount of Award for Children

Table 32 indicates there was no significant association between the average amount of maintenance per child and the extent of enforcement in both counts. Awards of less than $100 per month were enforced to the same extent as awards of more than $101.

Table 32

Relationship Between the Amount of Award for Children and the Extent of Enforcement

Extent of Enforcement	Amount of Award			
	Calgary		Edmonton	
	$1-100	$101 +	$1-100	$101 +
	%	%	%	%
No enforcement	28.2	30.0	17.9	14.3
Summons issued	56.5	54.2	58.5	52.4
Warrant issued	5.3	11.7	13.8	10.7
Prison Committal Order	9.9	4.2	9.8	17.9
Number of Cases	131	120	123	84

5.3.2 Total Monthly Payments

When the amount of the total monthly payment was considered, a significant association between the amount and extent of enforcement was found among Edmonton cases (Chi^2 = 14.9, p .01). Cases with total payments of $1-100 per month were more likely to be enforced than cases with payments of more than $101. The relationship was not significant for Calgary cases.

Table 33

Relationship Between the Amount of the Total Monthly Payment and Extent of Enforcement

Extent of Enforcement	Total Monthly Payment			
	Calgary		Edmonton	
	$1-100	$101 +	$1-100	$101 +
	%	%	%	%
No enforcement	23.0	31.4	12.2	30.9
Summons issued	60.1	53.8	60.3	46.1
Warrant issued	7.3	8.5	15.3	9.1
Prison Committal Order	9.6	6.4	12.2	13.9
No. of Cases	178	236	131	230

6. COMPARISON OF SUPREME COURT AND FAMILY COURT MAINTENANCE AWARDS FOR SELECTED CHARACTERISTICS

This section of the report explores possible differences in maintenance awards originating from the Supreme Court or Family Court, and subsequently filed in the Family Court for enforcement. The analysis was conducted on data collected from the Family Court records located in Calgary, Edmonton, Lethbridge and Grande Prairie.

The characteristics selected for this analysis included: pattern of payment, degree of enforcement, recipient of the award, amount of award for children, the source of income for the wife and whether or not a complaint of default had been made on the order.

6.1 Pattern of Payment

The pattern of payment for Supreme Court and Family Court awards was similar in each court except Lethbridge (see Table 34.1). In Lethbridge, Family Court awards were more likely to be fully paid whereas Supreme Court awards were more often partially paid. The findings from Calgary and Grande Prairie should be considered somewhat tentative because of the large number of missing cases from these counts.

6.2 Degree of Enforcement

Table 34.2 indicates that Supreme Court and Family Court awards were similarly enforced in most courts. In Lethbridge there was a tendency for Supreme Court awards to receive more energetic enforcement, ie. more Supreme Court awards received warrants or prison committal orders than Family Court awards.

6.3 Recipient of the Award

In Edmonton, Lethbridge and Grande Prairie, there were significantly more Family Court awards ordered in favor of the children only than Supreme Court awards. In Calgary, a similar trend was observed but the relationship was not significant (see Table 34.3).

6.4 Amount of Award for Children

There was no significant difference between the amounts of maintenance ordered for children through the Supreme and Family Courts (see Table 34.4).

6.5 Wives' Source of Income

In Calgary, (see Table 34.5) there was a significant association between the originating Court of the order and the wive's source of income. Women with Family Court orders were more likely to receive social assistance than women with Supreme Court orders.

6.6 Filed Complaint of Default

Table 34.6 indicates that in Calgary and Edmonton there was a significant association between filing a complaint of default and the originating Court of the order. For both courts, Supreme Court awards were more likely to have a complaint of default filed against them than Family Court orders.

Table 34

Comparisons of Supreme Court and Family Court Maintenance Awards by Court for Selected Characteristics

CHARACTERISTICS	Originating Court							
	Calgary		Edmonton		Lethbridge		Grande Prairie	
	Supreme Court	Family Court	Supreme Court	Family Court	Supreme Court	Family Court	Supreme Court	Family Court
	%	%	%	%	%	%	%	%
34.1 Pattern of Payments	(n=114)	(n=101)	(n=155)	(n=122)	(n=59)	(n=22)	(n=25)	(n=17)
Full payments	45.6	37.6	38.7	32.8	32.2	50.0	40.0	17.6
Partial payments	46.5	52.5	41.9	43.4	62.7	36.4	24.0	29.4
No payments	7.9	9.9	19.4	23.8	5.1	13.6	36.0	52.9
34.2 Degree of Enforcement	(n=238)	(n=176)	(n=189)	(n=134)	(n=61)	(n=23)	(n=40)	(n=30)
No enforcement	23.9	32.4	12.7	17.9	21.3	21.7	42.5	60.0
Summons issued	56.3	58.0	58.2	56.0	54.1	73.9	42.5	20.0
Warrant issued	10.9	3.4	13.8	11.9	16.4	4.3	10.0	16.7
Prison Committal Order	8.8	6.3	15.3	14.2	8.2	--	5.0	3.3
34.3 Recipient of Award	(n=236)	(n=175)	(n=226)	(n=177)	(n=61)	(n=23)	(n=39)	(n=30)
Spouse	5.5	6.3	2.7	4.0	4.9	--	2.6	--
Spouse & Children	46.6	35.4	44.7	13.0	50.8	8.7	53.9	16.6
Children only	47.9	58.3	52.7	83.0	44.3	91.3	43.6	83.3
34.4 Amount of Award for Children	(n=177)	(n=72)	(n=148)	(n=59)				
$1 - 50	13.0	12.5	9.4	13.6				
$51 - 100	36.7	45.8	51.4	42.4				
$101 - 200	44.6	31.9	36.5	40.7				
$200 +	5.6	9.7	2.7	3.4				
34.5 Wive's Source of Income	(n=238)	(n=175)	(n=189)	(n=133)			(n=40)	(n=30)
Other	92.9	69.1	76.7	67.7			87.5	90.0
Social Assist.	7.1	30.9	23.3	32.3			12.5	10.0
34.6 Complaint of Default Filed	(n=233)	(n=168)	(n=183)	(n=128)	(n=61)	(n=23)	(n=39)	(n=29)
Yes	65.2	36.9	60.7	39.1	3.3	--	15.4	3.4
No	34.8	63.1	39.3	60.9	96.7	100.0	84.6	96.6

APPENDIX A

FAMILY COURTS RECORD SCHEDULE

FINAL DRAFT - NOVEMBER 20/79

A01 File Number . . . . ☐1 ☐2 ☐3 ☐4 ☐5 ☐6

A02 Card . . . . ☐7

A03 Court . . . . ☐8

CODER: FROM CENTRAL CAROUSEL LEDGER CARD

B. [illegible]

B01 Is there a ledger card? . . . . ☐9

(1) Yes (2) No (9) Not Applicable

C. Payment Record

C01 Are payments being made on: . . . . ☐10

(1) Original Maintenance Order
(2) Order of Arrears (supercedes Maintenance Order)
(3) Voluntary Award

C02 Has a payment been made during the last six months? . . ☐11

(1) Yes (2) No

C03 Is the case currently in arrears (missed one payment)? . ☐12

(1) Yes (Maintenance Order)
(2) Yes (Arrears Order)
(3) Yes (Both Maintenance and Arrears Orders)
(4) No
(9) Not stated

C04 What is/was the amount of the maintenance arrears? . . . ☐13 ☐14 ☐15 ☐16 ☐17
(Check Order of Arrears/Certificate of Arrears)

(0001) Not Applicable (9999) Not Stated

C05 First payment due ______ ___ ________ ________ Year ☐18 ☐19
(in Alberta) day month year

C06 How many monthly payments should have been made? #___

C07 How many payments were made? #___
(Adjust for monthly payments)

C08 What percentage of payments have been made? . . . . ☐20

CODER: Compute % from C6 and C7 and code:

(1) All the time (100%)
(2) 75 - 99% of the time
(3) 50 - 74% Of the time
(4) 25 - 49% of the time
(5) 1 - 24% of the time
(6) No payments (0%)

C09 Number of years payments should have been made? ______

C10 Number of years maintenance payments were made . . . . . . ☐21 ☐22

(99) Not Stated (00) No payments

C11 What percentage of years payments were made? . . . . . . ☐23

CODER: Compute % from C9 and C10 and code:

(1) All the time (100%)
(2) 75-99% of the time
(3) 50-74% of the time
(4) 25-49% of the time
(5) 1-24% of the time
(6) No payments (0%)

C12 What is the monthly amount of the initial ordered payment?
(Maintenance Award)
24 25 26 27

C13 What is the monthly amount of the current ordered payment?
(Arrears Order)
28 29 30 31

C14 What is the amount of the last payment entry? ____________
(Adjust for double payments)

C15 What percentage of the ordered amount is paid? 32

CODER: Compute % from C13 and C14 and code:

(1) Full amount (100%)
(2) 75-99% of the amount
(3) 50-74% of the amount
(4) 25-49% of the amount
(5) 1-24% of the amount
(6) No payment (0%)

C16 How regularly were payments made? 33

(1) Always the date prescribed
(2) Within a week
(3) More than a week late
(4) No payments

C17 Using the last entry, what is the status of the case? 34

(1) Arrears payment completed
(2) Arrears Order increasing
(3) Arrears Order decreasing
(4) Arrears remain the same
(5) Maintenance order balance
(6) Maintenance order accumulating arrears.

C18 Was a payment made in November 1979? 35

(1) Yes (2) No (3) Not applicable

CODER: RECORD INFORMATION FROM FACESHEET IN CLIENT'S FILE

D. Petitioner/Respondent Information

D01 Applicant 36

(1) Husband (2) Wife

Details on Husband

D02 Place of Residence 37 38

(1) B.C
(2) Alberta
(3) Saskatchewan
(4) Manitoba
(5) Ontario
(6) Quebec
(7) N.B
(8) N.S
(9) P.E.I
(10) Newfoundland
(11) Yukon
(12) N.W.T
(13) Out of country

D03 Date of Birth . . . . year 39 40 month 41 42 day 43 44
(999999) Not Stated

D04 Occupation 45 46

Details on Wife

D06 Place of Residence 47 48

D07 Date of Birth . . . . year 49 50 month 51 52 day 53 54
(999999) Not Stated

D08 Occupation 55 56

E. Particulars of Marriage

E01 Date of Marriage . . . . year 57 58 month 59 60 day 61 62

E02 Place of Marriage 63 64

E03 Is the couple: 65

(1) Divorced? (2) Separated?

E04 Date of ceasing to cohabit . . . . year 66 67 month 68 69 day 70 71

E05 Date of separation or decree nisi . . . .

year		month		day	
72	73	74	75	76	77

E06 Grounds for separation or divorce 78

(1) Marital Offence
(2) Marital Breakdown
(3) Both
(9) Not stated

KEYPUNCHER: GO TO NEXT CARD

File Number 1 2 3 4 5 6

Card 7

CODER: FIND DOCUMENTS PERTAINING TO ORIGINAL MAINTENANCE ORDER

F. Maintenance Orders/Provisional Order

F01 Is information recorded from: 8

(1) Decree Nisi/Minutes of Settlement
(2) Original Maintenance Order

F02 Date of original order for maintenance/decree nisi. . . .

year		month		day	
9	10	11	12	13	14

F03 Divorce Registration Number 15 16 17 18 19 20

F04 The request to initiate the original maintenance hearing was made by: 21

(1) Wife
(2) Third Party (M & R, ASSCH)
(3) Third Party REMO
(9) Not stated

F05 Court making original order: 22

(1) Alberta Supreme Court
(2) Alberta Family Court
(3) Out of Province Supreme Court
(4) REMO Family Court
(5) Voluntary Order/Private Arrangement

F06 Act under which original order made: 23

(1) Divorce Act
(2) Supreme Court using DRA on Judicial Separation
(3) Family Court using DRA
(4) Private Arrangement

F07 Identity of the presiding judge 24 25

(1) Anderson
(2) Plomp
(3) Fitch
(4) Moshanski
(5) Allard
(6) Yanosik
(7) Leveque
(8) Milvaine
(9) Farthing
(10) Turcotte
(11) Litsky
(12)
(13)
(14)
(15) Tavender
(16)
(17)
(18)

F08 The original order was for 26

(1) Wife (2) Husband (3) Wife and Children
(4) Husband and Children (5) Children Only
(6) Wife and children as separate awards

F09 Is payment to be made to 27

(1) Family Court
(2) Other arrangement
(9) Not stated

Maintenance Information

G01 Terms of award 28

(1) Interim; specify ____________________
(2) Continuing/Final
(9) Not stated

G02 Type of award for spouse 29

(1) $1 or nominal (3) periodic
(2) Lump sum (9) Not applicable

G03 Amount of maintenance awarded for the spouse 30 31 32 33 34

(99999) Not applicable

CODER: FIND DOCUMENTS PERTAINING TO ORIGINAL MAINTENANCE ORDER

F. Maintenance Orders/Provisional Order

F01 Is information recorded from: 8

(1) Decree Nisi/Minutes of Settlement
(2) Original Maintenance Order

F02 Date of original order for maintenance/decree nisi. . . .

year		month		day	
9	10	11	12	13	14

F03 Divorce Registration Number 15 16 17 18 19 20

F04 The request to initiate the original maintenance hearing was made by: 21

(1) Wife
(2) Third Party (M & R, ASSCH)
(3) Third Party REMO
(9) Not stated

F05 Court making original order: 22

(1) Alberta Supreme Court
(2) Alberta Family Court
(3) Out of Province Supreme Court
(4) REMO Family Court
(5) Voluntary Order/Private Arrangement

F06 Act under which original order made: 23

(1) Divorce Act
(2) Supreme Court using DRA on Judicial Separation
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(4) Private Arrangement

F07 Identity of the presiding judge 24 25

(1) Anderson
(2) Plomp
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(5) Allard
(6) Yanosik
(7) Leveque
(8) Milvaine
(9) Farthing
(10) Turcotte
(11) Litsky
(12)
(13)
(14)
(15) Tavender
(16)
(17)
(18)

F08 The original order was for 26

(1) Wife (2) Husband (3) Wife and Children
(4) Husband and Children (5) Children Only
(6) Wife and children as separate awards

F09 Is payment to be made to 27

(1) Family Court
(2) Other arrangement
(9) Not stated

G. Maintenance Information

G01 Terms of award 28

(1) Interim; specify ____________________
(2) Continuing/Final
(9) Not stated

G02 Type of award for spouse 29

(1) $1 or nominal (3) periodic
(2) Lump sum (9) Not applicable

G03 Amount of maintenance awarded for the spouse 30 31 32 33 34

(99999) Not applicable

G04 Type of award for children 35

(1) $1 or nominal (3) Periodic
(2) Lump sum (9) Not applicable

G05 Average amount of maintenance per child per month 36 37 36 39

(9) Not applicable

G06 Total periodic maintenance payments per month 40 41 42 43

H. Custody Arrangements/Child Maintenance

H01 Number of dependent children 44 45

H02 Number of children awarded maintenance 46 47

H03 Custody awarded to: 48

(1) Husband (2) Wife (3) Other person or agency
(4) No award of custody made (5) Both husband (#___)
and wife (#___) (9) Not applicable

H04 Year of birth of eldest child 49 50

(99) Not applicable

H05 Year of birth of second child 51 52

(99) Not applicable

H06 Year of birth of third child 53 54

(99) Not applicable

H07 Year of birth of fourth child 55 56

(99) Not applicable

H08 Year of birth of fifth child 57 58

(99) Not applicable

H09 Are there more than five children in this family? 59

(1) Yes (9) Not applicable

Write in year of birth of remaining children; specify

____

____

____

H10 What are the terms of access to children? 60

(0) No children (3) Restraining order
(1) Reasonable access (9) Not stated
(2) Specified access; specify __________________

I. Occupation/Assets/Debts of Husband at Time of Original Hearing

I01 At the time of the original hearing, was the husband: . . 61

(1) Employed full time (wage earner)
(2) Employed part time
(3) Employed in a seasonal occupation
(4) Self-employed
(5) Registered as a full-time student
(6) Unemployed
(7) Other; specify __________________________
(9) Not stated

I02 At the time of the original hearing, was the husband's major source of income: 62

(1) Employment
(2) Unemployment Insurance
(3) Workmen's Compensation
(4) Social Assistance
(5) Other; specify __________________________
(9) Not stated

I03 Are assets listed? 63

(1) Yes (2) No

I04 Total Monthly Income of husband 64 72 66 67

I05 Are debts listed? 68

(1) Yes (2) No

I06 Total monthly Expenses of husband 69 70 71 72

J. Occupation/Assets/Debts of Wife at Time of Original Hearing

J01 At the time of the original hearing was the wife: 73

(1) Employed full time (wage earner)
(2) Employed part time
(3) Employed in a seasonal occupation
(4) Self-employed
(5) Registered as a full-time student
(6) Unemployed
(7) Other; specify ______________________________
(9) Not stated

J02 At the time of the original hearing was the wife's major source of income: 74

(1) Employment
(2) Unemployment Insurance
(3) Workmen's Compensation
(4) Social Assistance
(5) Other; specify ______________________________
(6) No income
(9) Not stated

J03 Are assets listed? 75

(1) Yes (2) No

J04 Total monthly Income of wife 76 77 78 79

J05 Are debts listed? 80

(1) Yes (2) No

KEYPUNCHER: GO TO NEXT CARD

File Number 1 2 3 4 5 6

Card 7

J06 **Total monthly Expenses of wife** 8 9 10 11

J07 **Matrimonial home awarded to:** 12

(1) Husband
(2) Wife
(3) Both
(4) No home
(5) Other; specify ______________________________
(9) Not stated

CODER: GO TO MOST RECENT COMPLAINT OF DEFAULT OF PAYMENT OF MAINTENANCE ORDER/ORDER OF ARREARS

K01 Is information from most recent complaint of default being coded? 13

(1) Yes (2) No (Go to P01)

K02 The most recent complaint of default was made by: 14

(1) Wife
(2) Third Party (M & R ASSCH)
(3) Third Party REMO

K03 Date of most recent complaint of default of payment of maintenance (i.e., date of affidavit) . . . . year 15 16 month 17 18 day 19 20

K04 Name of presiding Judge 21 22

K05 Applicant's residence at time of most recent complaint of default 23 24

(999) Not stated

K06 Respondent's residence at time of most recent complaint of default 25 26

(999) Not stated

(1) Calgary
(2) Edmonton
(3) Other Alberta
(4) B.C
(5) Saskatchewan
(6) Manitoba
(7) Ontario
(8) Quebec
(9) N.B
(10) N.S
(11) P.E.I
(12) Newfoundland
(13) Yukon
(14) N.W.T
(15) Out of country

K07 At the time of the most recent complaint, was the respondent head of another nuclear family unit? 27

(1) Yes (2) No (9) Not stated

K08 If so, how many children are in this family unit? 28

(0) None (99) Not stated

L. Occupation of Husband

L01 At the time of the most recent default hearing, was the husband 29

(1) Employed full time (wage earner)
(2) Employed part time
(3) Employed in a seasonal occupation
(4) Registered as a full-time student
(5) Unemployed
(6) Self-employed
(9) Not stated

L02 At the time of the most recent default hearing, was the husband's major source of income: 30

(1) Employment
(2) Unemployment Insurance
(3) Workmen's Compensation
(4) Social Assistance
(5) Other; specify ________________________________
(9) Not stated

M. Assets/Debts of Husband at Time of Most Recent Default Hearing

M01 Are assets listed? 31

(1) Yes (2) No

M02 Total monthly Income of husband 32 33 34 35

M03 Are debts listed? 36

(1) Yes (2) No

M04 Total monthly Expenses of husband 37 38 39 40

N. Occupation of Wife

N01 At the time of the most recent default hearing, was the wife: 41

(1) Employed full time (wage earner)
(2) Employed part time
(3) Employed in a seasonal occupation
(4) Registered as a full-time student
(5) Unemployed
(6) Self-employed
(9) Not stated

N02 At the time of the most recent default hearing, was the wife's major source of income: 42

(1) Employment
(2) Unemployment Insurance
(3) Workmen's Compensation
(4) Social Assistance
(5) Spouse's Income
(6) No income
(9) Not stated

O. Assets/Debts of Wife at Time of Most Recent Default Hearing

O01 Are wife's assets listed? 43

(1) Yes (2) No

O02 Total monthly Income of wife 44 45 46 47

O03 Are wife's debts listed? 48

(1) Yes (2) No

O04 Total monthly Expenses of wife 49 50 51 52

CODER: CHECK THROUGH THE FILE FOR ACTION RELATED TO DEFAULT HEARINGS.

P01 Number of unserved summonses? 53 54

(0) None

P02 Number of served summonses? 55 56

(0) None

P03 Number of unserved warrants? 57 58

(0) None

P04 Number of served warrants? 59 60

(0) None

P05 Number of "show cause" hearings? 61 62

(0) None

P06 Number of variation of order hearings? 63 64

(0) None

P07 Has there ever been a prison commital order? 65

(1) Yes (2) No

P08 Number of imprisonments? 66 67

(0) None (99) Not applicable

P09 Number of times paid up on any of the above actions? . . . 68 69

(0) Not applicable (99) Not stated

APPENDIX B

Payment Record Data From Calgary and Grande Prairie

The payment record data from 227 Calgary cases and 42 Grande Prairie cases is presented without comment in Table B.1. The reader is cautioned that conclusions drawn from this data would be suspect.

Characteristic	Frequency Distribution			
	Calgary		Grande Prairie	
B.1.1 Type of Award	(n= 227)		(n= 40)	
Original Maintenance Order	50.6		67.1	
Order of Arrears	49.4		32.9	
B.1.2 Status of Payment on Arrears Orders	(n= 115)		(n= 15)	
Arrears Increasing	15.7		60.0	
Arrears Balance	13.9		-	
Arrears Decreasing	23.5		13.3	
Arrears Paid up	46.9		26.7	
B.1.3 Payments made during last six months	(n= 217)		(n= 42)	
Yes	55.3		47.6	
No	44.7		52.4	
B.1.4 Payments made in November 1979	(n= 189)		(n= 42)	
Yes	46.0		40.5	
No	50.7		59.5	
B.1.5 Amount of November Payment	(n=85) %	(n=92) %	(n=17) %	(n=25) %
$				
1 - 75	18.8	27.2	35.3	36.0
76 - 125	32.9	26.1	23.5	40.0
126 - 200	31.8	30.4	23.5	16.0
200 plus	16.5	16.3	17.7	8.0
B.1.6 % of Payments made over duration of the case	(n= 225)		(n= 42)	
All payments (100%)	42.7		33.3	
Half or more of the payments (50-99%)	17.8		11.9	
Less than half the payments (1-49%)	30.7		11.9	
No payments (0%)	8.9		42.9	

Characteristic	Frequency Distribution	
	Calgary	Grande Prairie
B.1.7 Date of first payment	(n= 223)	(n= 41)
1979-80	36.3	21.9
1978-75	44.9	51.3
1974-70	13.8	17.0
1969-55	4.7	9.8
B.1.8 Number of years payments were made	(n=184)	(n= 23)
1 year or less	57.7	-
2-5 years	28.3	26.0
6-10 years	9.7	30.5
11-15 years	4.3	43.5
B.1.9 Promptness of payment	(n= 199)	(n= 24)
Date prescribed	17.6	37.5
Within a Week	30.7	25.0
More than a week late	51.7	37.5
% cases with no payments	9.0	42.9
B.1.10 Monthly	(n= 220)	(n= 42)
$1-75	23.2	35.8
$76-125	29.1	33.3
$126-200	28.7	19.0
$201-300	8.6	9.5
$301-500	7.7	2.4
$501 Plus	2.7	-
% cases with no payments	47.3	-

Characteristic	Frequency Distribution	
	Calgary	Grande Prairie
B.1 11 % of ordered amount that is paid	(n= 222)	(n= 42)
Full Amount (100%)	68.9	31.0
Half or more 50-99%	6.8	11.9
Less than half (1-49%)	13.5	14.3
No payments (0%)	10.8	42.9
B.1.12 Pattern of Payment	(n= 172)	(n= 42)
All the time (100%)	41.9	31.0
Partial payments (99 - 1%)	49.3	26.2
No payments (0%)	8.8	42.9

Characteristic	Frequency Distribution	
	Calgary	Grande Prairie
B.1.1 Type of Award	(n= 227)	(n= 40)
Original Maintenance Order	50.6	67.1
Order of Arrears	49.4	32.9
B.1.2 Status of Payment on Arrears Orders	(n= 115)	(n= 15)
Arrears Increasing	15.7	60.0
Arrears Balance	13.9	-
Arrears Decreasing	23.5	13.3
Arrears Paid up	46.9	26.7
B.1.3 Payments made during last six months	(n= 217)	(n= 42)
Yes	55.3	47.6
No	44.7	52.4
B.1.4 Payments made in November 1979	(n= 189)	(n= 42)
Yes	46.0	40.5
No	50.7	59.5
B.1.5 % of Payments made over duration of the case	(n= 225)	(n= 42)
All payments (100%)	42.7	33.3
Half or more of the payments (50-99%	17.8	11.9
Less than half the payments (1-49%)	30.7	11.9
No payments (0%)	8.9	42.9

Characteristic	Frequency Distribution	
	Calgary	Grande Prairie
B.1.6 Date of first payment	(n= 223)	(n= 41)
1979-80	36.3	21.9
1978-75	44.9	51.3
1974-70	13.8	17.0
1969-55	4.7	9.8
B.1.7 Number of years payments were made	(n=184)	(n= 23)
1 year or less	57.7	-
2-5 years	28.3	26.0
6-10 years	9.7	30.5
11-15 years	4.3	43.5
B.1.8 Promptness of payment	(n= 199)	(n= 24)
Date prescribed	17.6	37.5
Within a Week	30.7	25.0
More than a week late	51.7	37.5
% cases with no payments	9.0	42.9
B.1.9 Monthly	(n= 220)	(n= 42)
$1-75	23.2	35.8
$76-125	29.1	33.3
$126-200	28.7	19.0
$201-300	8.6	9.5
$301-500	7.7	2.4
$501 Plus	2.7	-
% cases with no payments	47.3	-

Characteristic	Frequency Distribution	
	Calgary	Grande Prairie
B.1.10 % of ordered amount that is paid	(n= 222)	(n= 42)
Full Amount (100%)	68.9	31.0
Half or more 50-99%	6.8	11.9
Less than half (1-49%)	13.5	14.3
No payments (0%)	10.8	42.9
B.1.11 Pattern of Payment	(n= 172)	(n= 42)
All the time (100%)	41.9	31.0
Partial payments (99 - 1%)	49.3	26.2
No payments (0%)	8.8	42.9

Appendix C

Individual Characteristics of Spouses

The following tables present data concerning individual characteristics of spouses for which there was a large number of missing cases. Conclusions drawn from the findings would be misleading. However, they are presented here to indicate the extent of missing data for these variables.

D.1.1	Calgary		Edmonton		Lethbridge		Grande Prairie	
Age of Spouses at Time of Study	Wife (n=72)	Husband (n=134)	Wife (n=283)	Husband (n=363)	Wife (n=38)	Husband (n=40)	Wife (n-14)	Husband (n=25)
20-29 (1959-1950)	26.4	21.6	34.3	22.4	52.7	33.4	50.0	32.0
30-39 (1949-1940)	47.3	43.5	36.1	39.9	31.5	37.8	21.4	36.0
40-49 (1939-1930)	15.2	23.8	21.2	25.1	7.9	22.2	14.3	20.0
50+ (1929 and Before)	11.1	11.1	8.4	12.6	7.9	6.6	14.3	12.0
90 of cases not stated	82.8	68.2	30.3	10.6	55.3	47.1	80.0	64.3

D1.2

Employment Status	Wife n=107	Husband n=138	Wife n=203	Husband n=241	Wife n=50	Husband n=70	Wife n=16	Husband n=40
Full Time	20.6	85.6	32.6	88.0	20.0	95.7	6.2	95.0
Part Time	6.5	2.2	8.9	1.3	14.0	-	12.5	-
Seasonal	0.9	4.3	-	1.6	-	-	-	-
Self Employed	0.9	2.9	-	0.4	-	1.4	-	2.5
Full-time Student	5.6	0.7	1.4	0.4	4.0	-	-	-
Unemployed	64.6	4.3	40.4	6.7	62.0	2.9	81.3	2.5
Other	0.9	-	16.7	1.6	-	-	-	-
% of Cases Not Stated	73.8	66.8	50.0	40.7	41.2	17.6	77.1	42.9

D.1.3

Occupation of Spouse	Wife (n=73)	Husband (n=190)	Wife (n=229)	Husband (n=292)	Wife (n=75)	Husband (n=67)	Wife (n=21)	Husband (n=37)
Managerial	1.4	10.5	0.9	1.0	1.3	1.3	-	2.7
Sales/Services	23.3	24.2	22.2	18.5	17.4	25.9	-	21.6
Technical/ Industrial	2.7	32.6	0.9	34.2	1.3	10.4	-	24.3
Transportation/ Construction	1.4	27.9	1.3	39.4	1.3	33.9	4.6	27.1
Clerical	26.0	1.6	17.9	2.7	2.6	2.6	4.8	-
Housewife	35.6	-	52.5	-	68.1	-	90.4	-
Student	8.2	1.0	2.6	0.7	4.0	-	-	
Other	1.4	2.1	1.7	3.4	4.0	25.9	-	24.3
% of cases Not Stated	81.8	49.5	37.5	14.0	11.8	9.4	70.0	47.1

D.1.4

Listed Assets	Wife (n=416)	Husband (n=418)	Wife (n=397)	Husband (n=400)	Wife (n=85)	Husband (n=85)	Wife (n=70)	Husband (n=70)
Yes	5.0	6.7	12.8	24.0	3.5	22.4	1.4	10.0
No	95.0	93.3	87.2	76.0	96.5	77.6	98.6	90.0

Listed Data	Wife n=416	Husband n=413	Wife n=390	Husband n=401	Wife n=85	Husband n=85	Wife n=70	Husband n=70
Yes	5.3	8.7	10.7	22.9	2.4	22.4	0	10.0
No	94.7	91.3	89.3	77.1	97.6	77.6	100.0	90.0

SURVEY OF WOMEN INVOLVED WITH MAINTENANCE ORDERS

TECHNICAL REPORT

SURVEY OF WOMEN INVOLVED WITH MAINTENANCE ORDERS

TECHNICAL REPORT

1. INTRODUCTION

1.1 Aims of Survey

There were four major areas of the study:

a. To discover the incidence of maintenance payments and default;

b. to find out the incidence of social assistance as a result of marriage breakdown;

c. to find out the financial consequences of marriage breakdown;

d. to discover the common problems and experiences of women relating to the payment or non-payment of maintenance orders.

1.2 Sampling Design

A random cluster sampling technique was used. The clusters were based upon municipal electoral polls in Edmonton and Calgary, and were sampled using a table of random numbers. Interviewers were instructed to sample every second household within their clusters. The decision as to whether to sample the first or second household in a particular block was made by tossing a coin. In Edmonton a total of 16 electoral polls were involved in the study; 18 polls in Calgary were sampled.

A two call-back procedure was employed. If a potential respondent was not at home at the time of the first visit, the interviewer would call back at least two times before the potential respondent would be written off as unlocatable.

1.3 Interviewing Procedures

Before visiting a household, interviewers were instructed to leave a letter which explained the purpose of the survey and asked the respondent's co-operation. (A copy of this letter is included in Appendix E of this chapter). When the door was answered the interviewer would introduce him or herself in the following manner:

> "Hello, my name is _________. I am helping out with a survey for the Institute of Law Research and Reform on the payment of maintenance orders. You should have received a letter a couple of days ago telling you about the survey. (The interviewer would then hand the respondent another copy of the letter). We would like

> to know if there is anyone living here who is either paying on or receiving payment from a maintenance order."

If the respondent said'no'the interviewer marked this down on the "Interview Sample Sheet" (see Appendix F), thanked the respondent and proceeded to visit the next household but one.

If the respondent said'yes'the interviewer would go on to ask to speak to the person in question. The interviewer would then explain:

> "I would like you to complete this questionnaire. If you wish to have me ask you the questions I would be happy to do so. If you would like to complete it yourself in private, I will leave it with you and pick it up later. In any case, your answers to the questions will remain completely confidential and your name and address will not appear on the questionnaire."

In almost all cases, the respondents preferred to complete the questionnaire themselves.

1.4 Response

The completed Interviewer Sample Sheets and verbal reports of interviewers indicated that the response of the great majority of people was positive. The women involved appeared, for the most part, to be eager to express themselves on the subject.

It should be mentioned that the survey procedure could involve a hidden refusal rate. A person could be involved with a maintenance order and lie to the interviewer. While it is impossible to gain an exact idea of how serious this problem was, the subjective impression of the interviewers was that it was not very common among the women respondents. There was a second source of error in the sampling. In three instances in Edmonton and three in Calgary, the managers of large apartment buildings refused to let interviewers into the building and even to use the intercom system. Despite phone calls from the survey coordinators to explain in depth the nature and importance of the study, they continued to refuse.

The effect of this limitation on the survey of women appears not to have been serious. Very few women were found in high rise apartments near city centres in the buildings that were sampled. In any case, a summary of the information provided by the sample sheets is listed below in Table 1.

Table 1

CITY	Households Visited	Women's Questionnaire Completed	Refusal Rate *
Edmonton	4940	91	6.2
Calgary	5990	107	5.0

* This refusal rate includes adults who answered the door and were unwilling to co-operate after the interviewer's introduction.

Given the sampling procedure and the positive feedback from the interviewers, the results of the survey should be a relatively accurate reflection of the feelings and experiences of women involved with maintenance orders in Edmonton and Calgary.

Table 2, cont.

2.3 EMPLOYMENT STATUS	CALGARY (n=103) %	EDMONTON (n=91) %
Self-employed	2.9	3.3
Employed full-time	59.2	50.5
Employed part-time	7.8	19.8
Employed in a seasonal occupation	--	1.1
Full-time student	5.8	2.2
Unemployed	21.4	15.4
Other	2.9	7.7
No information	3.7	--
2.4 PERCENTAGE OF TIME EMPLOYED SINCE DIVORCE	(n=104)	(n=90)
100% of the time	35.5	25.6
75 - 99% of the time	26.9	20.0
50 - 74% of the time	8.7	13.3
25 - 49% of the time	7.7	7.8
1 - 24% of the time	8.7	22.2
Haven't been employed	12.5	11.1
No information	2.8	1.1
2.5 OCCUPATION * (employed respondents only)	(n=79)	(n=68)
Managerial & Administration	11.4	4.4
Professional	7.6	14.7
Professional support	13.9	7.4
Clerical/sales/service	51.8	58.8
Farming	1.3	--
Foreman, oil & gas, mining	--	1.5
Manufacturing/ construction	--	1.5
Skilled trades	5.1	4.4
Unskilled labor	1.3	4.4
Student	6.3	1.5
Housewife	1.3	1.5
No information	26.2	25.2

* The occupational categories used by the Alberta Social Services and Community Health were used to compile this table.

Table 2, cont.

2.6 MAIN SOURCE OF INCOME	CALGARY (n=101) %	EDMONTON (n=89) %
Self-employment	8.9	9.0
Wages/salary	62.4	59.6
Investments	1.0	2.2
Social Assistance	19.8	21.3
Spouses Income	5.9	3.4
Maintenance	2.0	4.5
No information	5.6	2.2
2.7 LENGTH OF TIME RESPONDENT HAS LIVED IN ALBERTA	(n=106)	(n=91)
1 month or less	--	2.2
2 to 3 months	0.9	--
3 to 6 months	2.8	--
6 months to a year	3.8	2.2
1 to 3 years	8.5	4.4
more than 3 years	84.0	91.2
No information	0.9	--
2.8 NUMBER OF CHILDREN CLAIMED FOR TAX PURPOSES	(n=107)	(n=91)
None	17.8	13.2
one	34.6	26.4
two	36.4	46.1
three	4.7	9.9
four	6.5	2.2
five	--	1.1
eight	--	1.1
No information	--	--
2.9 NUMBER OF OTHER DEPENDENTS CLAIMED FOR TAX PURPOSES	(n=107)	(n=91)
none	91.5	95.6
one	4.7	0
two	0.9	3.3
three	1.9	0
four	0.9	1.1
No information	0.9	0

2.1 Age

The mean ages of the respondents in Edmonton and Calgary did not vary much: 36 and 34 respectively.

2.2 Level of Education

Calgary women were significantly better educated than their Edmonton counterparts (Chi^2 = 15.1, $.02 > p$)*. The median level of education for Edmonton respondents was grade 10 or 11 whereas the median for Calgary was high school graduation.

2.3 Employment Status

Fifty-nine percent of the Calgary respondents were employed full-time as opposed to 51% in Edmonton. However, the difference was not statistically significant.

2.4 Percentage of Time Employed since Divorce

Edmonton respondents appeared to have had a less stable employment history than those in Calgary. However, the difference did not quite reach the level of statistical significance (chi^2 = 9.54, .09 p). It should be noted that a significant minority of both Calgary and Edmonton respondents (29% and 41% respectively) had been employed for less than half of the time since their divorce or separation.

2.5 Occupation

The majority of the employed respondents in both Calgary and Edmonton (52% and 59% respectively) were working in the clerical or sales and service jobs. In Calgary, the professional support (14%) and the managerial and administration (11%) categories were the second and third most frequently reported. The corresponding occupational categories in Edmonton were professional (15%) and professional support (7%).

* In order to calculate the chi^2, the "grade 7 or less" category was combined with the "grade 8 or 9" category; also both levels of university education were collapsed.

2.6 Main Source of Income

The main sources of income reported by Calgary and Edmonton respondents corresponded very closely. Roughly 60% of all respondents said that wages or salaries were their major source of income. The next most important source was social assistance; this was reported by one respondent out of every five.

2.7 Length of Time Resident in Alberta

Almost all of the Edmonton respondents (91%) said they had been a resident in Alberta for more than three years. Slightly fewer (84%) Calgary respondents were long term residents.

2.8 Number of Children Claimed for Tax Purposes

The majority of respondents in Calgary (71%) and Edmonton (72%) had one or two dependent children.

2.9 Number of Other Dependents Claimed for Tax Purposes

A very small percentage of both Calgary (9%) and Edmonton (4%) respondents indicated that they supported dependents other than their children. Even though the numbers are small there is good reason to suspect this data. When this question was cross-tabulated with the responses to the question on the number of dependent children, the number of dependents other than children coincided with the number of dependent children in almost all cases. This suggests that those who indicated they had dependents other than children misread the question.

3.0 Social Assistance

It has been indicated earlier (see Section 2.6) that about 20% of the total sample named social assistance as their major source of income. These respondents were questioned further as to: the amount of social assistance payments, whether they had received social assistance during their marriage and whether they had applied for social assistance becuase of marriage breakdown. The results of the survey are presented in Table 3.

Table 3

Details Concerning Social Assistance

3.1 MONTHLY AMOUNT OF SOCIAL ASSISTANCE	CALGARY (n=22) %	EDMONTON (n=21) %
less than $300	31.8	14.3
$301 - $500	22.7	23.8
$501 - $700	31.8	33.3
over $700	13.6	28.6
3.2 RECEIVED SOCIAL ASSISTANCE DURING MARRIAGE	(n=23)	(n=21)
Yes	26.1	38.1
No	73.9	61.9
Not applicable	77.9	76.9
3.3 SOCIAL ASSISTANCE APPLIED FOR BECAUSE OF MARRIAGE BREAKDOWN	(n=23)	(n=20)
Yes	82.6	85.0
No	17.4	15.0
Not applicable	77.9	77.8

3.1 Amount of Social Assistance

Thirty-two percent of Calgary women who received social assistance said that they received less than $300 per month; the corresponding figure for Edmonton was 14%. The median category for Calgary (32%) and Edmonton (33%) was between $500 and $700 per month. The reader should be cautioned that comparison between the two cities should not be made as the number of respondents in each case is small.

3.2 Received Social Assistance During Marriage

The majority of respondents in both Calgary (74%) and Edmonton (62%) said that they had not received social assistance during their marriage.

3.3 Social Assistance applied for Because of Marriage Breakdown

A big majority of respondents (Calgary: 83% and Edmonton: 85%) said that they applied for social assistance because of marriage breakdown. The answers to this question and to the previous question indicate that marriage breakdown is responsible for relatively large numbers of divorced and separated women seeking social assistance.

4.0 FINANCIAL DETAILS

Respondents were asked to indicate their approximate yearly gross income, as well as their net monthly income. To gain some idea of their expenses they were then asked to specify what they paid for rent and mortgage as well as to indicate what they had to pay monthly on debts and whether or not they owned a house.

In order to give an approximate idea of the financial situation of the respondents, the net monthly incomes of those who had not formed a permanent relationship were compared with the amount that they would receive from social assistance, April 1980 figures, using the following formula:

$$\text{FINANCIAL SITUATION} = \frac{\text{NET MONTHLY INCOME}}{\text{SOCIAL ASSISTANCE RATE}}$$

Originally we intended to use the amounts recorded for monthly payments on debt to calculate this figure. Unfortunately the data on debt was not very reliable, as it was obvious that some women entered total debt rather than monthly payments.

Table 4

4.1 YEARLY INCOME	CALGARY (n=97) %	EDMONTON (n=87) %
Up to $5000	12.4	14.9
$5001 to $10,000	30.9	44.8
$10,001 to $15,000	36.1	25.3
$15,001 to $20,000	18.6	11.5
$20,001 to $25,000	1.0	3.4
$25,001 to $30,000	1.0	--
Over $30,000	--	--
No information	9.3	4.4
4.2 MONTHLY NET INCOME	(n=89)	(n=77)
Less than $500	10.1	18.2
$501 to $1000	75.3	71.4
$1001 to $1500	12.4	9.1
$1501 to $2000	--	1.3
Over $3000	2.2	--
No information	16.8	15.4

Table 4, cont.

4.3 MONTHLY PAYMENTS FOR RENT OR MORTGAGE	CALGARY (n=101) %	EDMONTON (n=86) %
Less than $100	3.0	5.8
$101 to $200	15.8	16.3
$201 to $300	24.8	20.9
$301 to $400	32.7	33.7
$401 to $500	17.8	17.4
Over $500	6.0	5.8
No information	5.6	5.5
4.4 MONTHLY PAYMENTS TOWARD DEBT	(n=74)	(n=58)
Less than $100	25.6	37.9
$101 to $200	33.7	32.9
$201 to $300	9.5	10.3
$301 to $400	8.1	10.3
$401 to $500	4.1	1.8
$501 to $600	6.8	3.4
Over $600	12.2	3.4
No information/not applicable	30.8	36.3
4.5 OWN HOME	(n=106)	(n=90)
Yes	42.5	28.9
No	57.5	71.1
No information	0.9	1.0
4.6 INCOME RELATIVE TO SOCIAL ASSISTANCE RATES (UNATTACHED RESPONDENTS ONLY)	(n=59)	(n=53)
Less than current social assistance payments	16.9	34.0
Between 100% and 150% of social assistance payments	47.4	47.2
Between 150% and 200% of social assistance payments	23.7	11.3
Over 200% of social assistance payments	11.9	7.5
No information	21.7%	

4.1 Yearly Income

The modal income for Calgary respondents (36.1%) was \$10,001 to \$15,000 whereas the modal income for the Edmonton sample (44.8%) was \$5,001 to \$10,000. Although the Edmonton respondents indicated a somewhat lower yearly income, the difference between the two cities did not reach the level of statistical significance ($chi^2 = 5.05$, p $.07 > p$).

4.2 Monthly Net Income

Nearly three-quarters of the respondents (75% in Calgary and 71% in Edmonton) indicated a monthly income of between \$501 and \$1000.

4.3 Monthly Payments for Rent or Mortgage

The modal category for payments on rent or mortgage was \$301 to \$400 (33% in Calgary and 34% in Edmonton). Twenty-three percent of the respondents paid more than this amount in both cities and 51% paid less.

4.4 Monthly Payments towards Debt

The responses to this question are suspect as it is not clear whether respondents were referring to total debt or to monthly payments.

4.5 Own Home

It should be noted that the answers to this question could mean several things:

a) The ownership of the matrimonial home was divided between the husband and wife as a part of the divorce settlement. (Two respondents added this qualification to their response to this question and there may have been more who owned their home in this sense).

b) The respondent had complete title to the house.

c) The respondent had subsequently formed a new relationship and the new spouse or common-law partner owned the house either exclusively or together with the respondent.

Forty-two per cent of the Calgary respondents said they owned their house as opposed to 29% in Edmonton. The difference between the two cities was not statistically significant.

4.6 Income Relative to Social Assistance Rates

This information applies only to those respondents who did not have a permanent relationship with another person. Seventeen percent of the Calgary respondents and 34% of those in Edmonton had an income which was less than the baseline income provided by social assistance in April 1980. It should be noted that most of the respondents who were on social assistance would have been collecting 1979 rates as the data collection for the women's survey was completed for the most part by May 1980. These women would be very likely to have an income less than current social assistance rates.

Nearly half (47%) of the respondents had an income which was up to 50% higher than social assistance rates. Thirty-five percent of Calgary respondents and 19% of the Edmonton respondents had incomes in excess of 150% of social assistance rates. Readers are cautioned that comparisons made between the two cities cannot be conclusive given the relatively high rate of non-response (22%).

5.0 DETAILS OF MARRIAGE AND MARRIAGE BREAKDOWN

Respondents were asked when they were married, what their marital status was at the time of marriage, and the number of children they had. They were also asked some details concerning their marriage breakdown. These included whether they were divorced or separated, when they were divorced or separated, and when this happened. From this information we were able to calculate the length of marriage.

Table 5

Details of Marriage and Marriage Breakdown

5.1 MARITAL STATUS AT THE TIME OF MARRIAGE	CALGARY (n=106) %	EDMONTON (n=90) %
Never married before	95.4	91.2
Divorced	3.7	7.7
Widowed	0.9	1.1
No information	0.9	1.1
5.2 WHEN MARRIED	(n=103)	(n=88)
Before 1939	1.0	--
1940 - 1949	4.9	8.0
1950 - 1959	18.4	15.9
1960 - 1969	37.9	43.2
1970 - 1974	32.0	26.1
After 1974	5.8	6.8
No information	3.7	3.3
5.3 CHILDREN FROM MARRIAGE	(n=107)	(n=91)
Yes	99.1	98.9
No	0.9	1.1
No information	--	--
5.4 NUMBER OF CHILDREN FROM MARRIAGE	(n=106)	(n=90)
One	31.1	22.2
Two	44.3	44.5
Three	12.3	17.7
Four	6.6	8.9
Five or more	5.7	6.7
Not applicable	0.9	1.1
No information	--	--

Table 5, cont.

5.5 DIVORCED OR SEPARATED	CALGARY (n=104) %	EDMONTON (n=91) %
Divorced	80.7	74.7
Separated	13.5	16.5
Formally separated	5.8	8.8
No information	2.8	--
5.6 DIVORCED OR SEPARATED IN ALBERTA	(n=104)	(n=90)
Alberta	83.6	93.3
Outside Alberta	16.4	6.7
No information	2.8	2.2
5.7 YEAR SEPARATED OR DIVORCED	(n=81)	(n=72)
Before 1939	1.2	--
1940 - 1949	--	--
1950 - 1959	--	--
1960 - 1969	7.4	1.4
1970 - 1974	30.9	26.4
1975 or later	60.5	72.2
No information	24.2	20.0
5.8 LENGTH OF TIME MARRIED	(n=88)	(n=76)
1 to 2 years	1.1	2.6
2 to 3 years	--	5.3
3 to 5 years	17.1	10.5
5 to 10 years	40.9	25.0
10 years or more	40.9	56.6
No information	17.8	16.5

Table 5, cont.

5.9 TIME BETWEEN CEASING TO COHABIT AND DIVORCE	CALGARY (n=86) %	EDMONTON (n=67) %
less than 6 months	23.3	32.8
6 months to a year	22.1	23.9
1 to 2 years	16.3	20.9
2 to 3 years	15.1	6.0
3 to 5 years	16.3	11.9
5 to 10 years	5.8	3.0
over 10 years	1.2	1.5
No information	19.6	26.3

5.1 Marital Status at Time of Marriage

Almost all of the respondents (in Calgary 95% and Edmonton 90%) said that they had not been married prior to the marriage in question.

5.2 When Married

Over a third of the total sample (in Calgary 38% and in Edmonton 33%) were married after 1970. Seventy-six percent of the Calgary sample were married after 1960 compared to 76% of Edmonton respondents.

5.3 Children From Marriage

Almost all the respondents had had children from their marriage (99% in both cities).

5.4 Number of Children from Marriage

The modal category for the number of children was two in both cities (44% in Calgary and 45% in Edmonton). Edmonton respondents tended to have larger families although the difference was not statistically significant.

5.5 Divorced or Separated

Eighty percent of the Calgary sample and 75% of those in Edmonton were divorced. Most of the rest were separated but this arrangement had not been formalized in court.

5.6 Divorced or Separated in Alberta

Most respondents were divorced or separated in Alberta (84% in Calgary and 93% in Edmonton).

5.7 Year Separated or Divorced

Sixty-one percent of the Calgary respondents and 72% of those in Edmonton had been separated or divorced in the last five years. Most of the rest had been separated or divorced after 1970.

5.8 Length of Time Married

Eighty-two percent of the respondents in both cities had been married more than five years before their separation or divorce.

5.9 Time Between Ceasing to Cohabit and Divorce

Fifty-six percent of Edmonton respondents as opposed to 45% of those from Calgary said they were divorced within a year of ceasing to cohabit. The difference between the two cities was not statistically significant.

6.0 CUSTODY AND ACCESS ARRANGEMENTS

Respondents were asked: to whom was custody of the children awarded, whether access arrangements were specified by the court, whether access was, in fact, allowed and whether access arrangements were considered to be satisfactory. The results are given in Table 6.

Table 6

Custody and Access Arrangements

6.1 CUSTODY AWARDED TO	CALGARY (n= 106) %	EDMONTON (n=88) %
Wife	91.5	98.9
Husband	1.9	--
Joint	2.8	1.1
No award	1.9	--
Children divided	1.9	--
Not applicable	0.9	3.3
6.2 ACCESS ARRANGEMENTS SPECIFIED BY COURT	(n=105)	(n=88)
Yes	59.1	68.2
No	40.9	31.8
Not applicable	0.9	3.3
No information	0.9	--
6.3 ACCESS IN FACT ALLOWED	(n=98)	(n=82)
Yes	82.6	84.1
No	17.4	15.9
Not applicable	0.9	3.3
No information	7.5	6.6

Table 6, cont.

6.4 ACCESS ARRANGEMENTS SATISFACTORY	CALGARY (n=98) %	EDMONTON (n=82) %
Yes	82.6	84.1
No	17.4	15.9
Not applicable	0.9	3.3
No information	7.5	6.6

6.1 Almost all of the respondents in Calgary and Edmonton said that they had been awarded custody of the children.

6.2 Sixty-eight percent of the Edmonton respondents said that access arrangements were specified by the court, compared to 59% in Calgary. However, the difference is not statistically significant.

6.3 Four out of five respondents in the two cities indicated that access to the children was in fact allowed.

6.4 Over 80% of the total sample thought that the access arrangements were satisfactory.

7.0 CHARACTERISTICS OF THE MAINTENANCE ORDER

Respondents were asked whether the order originated in the Supreme Court or Family Court or if it was voluntary. They were asked whether they were represented by a lawyer and whether the order was made in Alberta or outside of the province. If the order was made outside of Alberta,respondents were asked if it was being currently enforced in Alberta.

Table 7

Characteristics of the Maintenance Order

7.1 SOURCE OF MAINTENANCE ORDER	CALGARY (n=102) %	EDMONTON (n=91) %
Family Court	26.5	29.7
Supreme Court	44.2	47.2
Voluntary	25.4	16.5
Don't know	3.9	6.6
No information	4.7	--
7.2 REPRESENTATION BY LAWYER	(n=79)	(n=77)
Yes	91.1	88.3
No	8.9	11.7
No information/ not applicable	26.1	15.4
7.3 ORIGIN OF MAINTENANCE ORDER	(n=94)	(n=87)
Alberta	84.0	94.2
Other province	13.8	4.6
Outside Canada	2.1	1.2
No information/ not applicable	12.2	4.4

Table 7, cont.

7.4 IF ORDER WAS MADE OUTSIDE OF ALBERTA, IS IT CURRENTLY BEING ENFORCED IN ALBERTA?	CALGARY (n=19) %	EDMONTON (n=7) %
Yes	31.6	28.6
No	68.4	71.4
No information	10.3	4.4
Not applicable	72.0	87.9

7.1 Source of Maintenance Order

Nearly half of the respondents in Calgary (44%) and Edmonton (47%) indicated that their order originated from the Supreme Court. Roughly equal numbers of Calgary respondents said that their orders originated in Family Court or were voluntary. Slightly more Edmonton women said their orders were from Family Court (30%) and fewer said their orders were voluntary (17%). However, the differences between the two cities were not statistically significant.

7.2 Representation by Lawyer

Almost all of the respondents who answered this question in both cities (Calgary: 91%, Edmonton: 88%) said that they were represented by a lawyer.

7.3 Origin of Maintenance Order

A somewhat larger number of Calgary respondents (16% as opposed to 6% in Edmonton) indicated that their maintenance order originated outside of Alberta.

7.4 (If the Order was made outside of Alberta) Is it currently being enforced in Alberta

The number of respondents to whom this question was applicable was very small so the results may be suspect. Nonetheless, over two-thirds of both Calgary and Edmonton respondents indicated that their maintenance orders were not being currently enforced in Alberta.

8.0 METHOD OF PAYMENT AND OPINIONS CONCERNING PAYMENT

Respondents were asked how the payment was to be made and whether the arrangements were satisfactory or not. They were then asked whether the amount of payment was fair to them, to their ex-husband and to their children. Finally,they were asked for their opinions concerning the basis upon which the order was made, and whether they had approached any agencies to have the amount of the order altered.

Table 8

Method of Payment and Opinions
Concerning Payment

8.1 METHOD OF PAYMENT	CALGARY (n=106) %	EDMONTON (n=91) %
Direct cheque	51.9	41.7
Deposited in wife's bank account	5.7	5.5
Through family court	12.2	12.1
Voluntary payment through family court	--	3.3
Through social services dept.	3.8	12.1
Not specified by court	23.6	23.1
Through lawyer	0.9	--
Don't know	1.9	2.2
No information	0.9	--
8.2 PAYMENT ARRANGEMENTS SATISFACTORY	(n=104)	(n=91)
Yes	68.3	65.9
No	31.7	34.1
No information	2.8	--
8.3 AMOUNT OF MAINTENANCE FAIR TO WIFE	(n=107)	(n=91)
Yes	38.3	39.3
No	52.4	57.1
Don't know	9.3	3.3
No information	--	--

Table 8, cont.

8.4 AMOUNT OF MAINTENANCE FAIR TO EX-HUSBAND	CALGARY (n=106) %	EDMONTON (n=91) %
Yes	49.0	39.6
No - too much	3.8	1.1
No - too little	38.7	48.3
Don't know	8.5	11.0
No information	0.9	--
8.5 AMOUNT OF MAINTENANCE FAIR TO CHILDREN	(n=99)	(n=85)
Yes	40.4	37.6
No	47.5	55.3
Don't know	12.1	7.1
No information/ not applicable	7.4	6.6
8.6 ORDER BASED ON EX-HUSBAND'S EARNINGS	(n=105)	(n=90)
Yes	24.8	40.0
No	66.6	50.0
Don't know	8.6	10.0
No information	1.9	1.1
8.7 ORDER BASED ON WIFE'S NEED	(n=103)	(n=90)
Yes	25.3	35.6
No	66.9	56.7
Don't know	7.8	7.7
No information	3.7	1.1

Table 8, cont.

8.8 AGENCY APPROACHED TO HAVE ORDER ALTERED	CALGARY (n=102) %	EDMONTON (n=91) %
Yes, Supreme Court	7.8	8.8
Yes, Family Court	13.7	12.1
Yes, Social Assistance	1.0	--
No	77.5	79.1
No information	4.7	--
8.9 (IF AN AGENCY HAS BEEN APPROACHED) HAS IT HELPED THE RESPONDENT?	(n=24)	(n=21)
Yes	29.2	19.1
No	70.8	80.9
No information/ not applicable	77.6	76.9

8.1 Method of Payment

Roughly half of the Calgary respondents (52%) were to be paid by direct cheque, as opposed to 42% of the Edmonton respondents. Slightly less than a quarter (23%) of the respondents in both cities stated that the method of payment was not specified by the court. Twelve percent of the respondents in both cities said that payments were to be made through Family Court. In Edmonton, 12% said that their payments were made through the Department of Social Services as opposed to 4% of those from Calgary. It should be noted that the differences between the two cities are not statistically significant.

8.2 Payment Arrangements Satisfactory **

About two-thirds of the respondents (68% in Calgary and 66% in Edmonton) said that the payment arrangements were satisfactory. It is probable that those who said they were unsatisfactory said so because of poor payment or non-payment. *

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* Opinions concerning the payment arrangements and whether or not the payments were up to date were cross-tabulated. The dissatisfied tended to indicate a poorer payment record.

** Examples of reasons given for unsatisfactory payment arrangements listed on Appendix A.

8.3 Amount of Maintenance Fair to Wife

The majority of respondents in both cities (57% in Edmonton and 52% in Calgary) indicated that the amount of the maintenance was not fair to them.

8.4 Amount of Maintenance Fair to Ex-Husband

Forty-nine percent of the respondents in Calgary and 40% of the respondents in Edmonton said that the amount was fair to their ex-husband. Nearly half (48%) of those from Edmonton said that the amount was too little as opposed to 39% of the Calgary respondents. Very few, (4% in Calgary and 1% in Edmonton) said that the amount was too much.

8.5 Amount of Maintenance Fair to Children

About half of the respondents (48% in Calgary and 55% in Edmonton) indicated that the amount of maintenance was not fair to their children. A small proportion (40% in Calgary and 38% in Edmonton) thought that the amount was fair.

8.6 Order Based on Ex-husband's Earnings

More Calgary respondents (67%) than Edmonton respondents (50%) thought that the order was based upon their ex-husband's earnings. (The difference was statistically significant - $\text{Chi}^2 = 5.32$, $.05 > p$).

8.7 Order Based on Wife's Need

Again more Calgary respondents (67%) than their Edmonton counterparts (57%) thought that their order was not based upon their need. However, the difference was not statistically significant.

8.8 Agency Approached to have Order Altered

Despite the fact that over half of the respondents thought that the order was unfair to them and their children and most thought the order was not based upon either their need nor their ex-husband's earnings, relatively few had approached an agency to have the order altered. Seventy-eight percent of Calgary respondents and 79% of those in Edmonton had not taken steps to have their orders altered. Of those who had approached another agency more (13%) went to Family Court than went to the Supreme Court (8%).

8.9 Help Provided by the Agency

This question applied to relatively few respondents. Even so it is notable that of the 45 people who answered this question, three-quarters of them said that the agency did not help.

9.0 AMOUNT OF MAINTENANCE ORDER AND REGULARITY OF PAYMENT

Respondents were asked to indicate the total amount of the monthly payment on their maintenance award, whether their ex-husband was currently behind in his payments, the number of months in the past year that the payment had been made, the amount that was paid, and the promptness of payment. The answers to the number of months for which payment was made and the amount that was paid were used to create a new variable: payment status.

The new variable of payment status was created by combining the values of the question on the number of months paid in the past year together with the amount paid. This procedure is summarized in the matrix given below which shows how the four payment status categories: excellent, fair, poor and non-payers are derived.

Payment Status Matrix

AMOUNT PAID	NUMBER OF MONTHS PAID IN PAST YEAR						
	12	10 - 11	8 - 9	6 - 7	3 - 5	1 - 2	no payment
Always Full amount	Excellent	FAIR	FAIR	POOR	POOR	POOR	NON-PAYERS
Usually full amount	FAIR	FAIR	FAIR	POOR	POOR	POOR	NON-PAYERS
Usually most (over 3/4)	FAIR	FAIR	FAIR	POOR	POOR	POOR	NON-PAYERS
Usually 1/2 to 3/4	POOR	POOR	POOR	POOR	POOR	POOR	NON-PAYERS
Usually less than 1/2	POOR	POOR	POOR	POOR	POOR	POOR	NON-PAYERS
No payments	NON-PAYERS	NON-PAYERS	NON-PAYERS	NON-PAYERS	NON-PAYERS	NON-PAYERS	NON-PAYERS

Table 9

Amount of Maintenance Order and Regularity of Payment

9.1 AMOUNT OF MAINTENANCE ORDER	CALGARY (n=93) %	EDMONTON (n=69) %
Less than $50	12.9	8.7
$51 to $100	24.7	23.2
$101 to $200	40.8	50.8
$201 to 500	14.0	10.1
$501 to $1000	6.5	7.2
Over $1000	1.1	--
No information	13.1	24.2
9.2 EX-HUSBAND BEHIND ON MAINTENANCE ORDER PAYMENTS	(n=104)	(n=91)
Yes	51.9	52.7
No	48.1	47.3
No information	2.8	--
9.3 NUMBER OF MONTHS IN THE PAST YEAR EX-HUSBAND PAID MAINTENANCE	(n=103)	(n=88)
12 months	40.9	35.3
10 to 11 months	6.8	9.0
8 to 9 months	4.8	2.3
6 to 7 months	10.8	4.5
3 to 5 months	7.8	10.3
1 to 2 months	5.8	9.0
Hasn't paid	23.1	29.6
No information	2.8	3.3

Table 9, cont.

9.4 PROPORTION OF MAINTENANCE ORDER PAID	CALGARY (n=104) %	EDMONTON (n=88) %
Always full amount	52.9	47.8
Usually full amount	11.5	10.2
Usually most	2.9	4.5
(Over 3/4)	3.8	1.1
Usually between 1/2 and 3/4	7.7	2.3
No payments	21.2	34.1
No information	2.8	3.3
9.5 PROMPTNESS OF PAYMENT	(n=103)	(n=89)
Always by date set	29.1	23.6
Usually by date set	13.6	15.7
Usually within a week	7.8	10.1
Usually more than a week late	23.3	16.8
No payments	26.2	33.8
No information	3.7	2.2
9.6 PAYMENT STATUS	(n=103)	(n=88)
Excellent	33.9	31.8
Fair	13.6	14.8
Poor	27.2	19.3
Non-payers	25.3	34.1
No information	3.7	3.3

9.1 Amount of Maintenance Order

The modal category for the amount of maintenance orders in Edmonton and Calgary was $101 to $200. The mean order for Calgary was $200 and that for Edmonton was $213. The apparent difference between the means was not statistically significant.

9.2 Ex-Husband Behind on Payments

Roughly half of the ex-husbands (52% in Calgary and 53% in Edmonton) were up-to-date with their payments at the time of the study. This does not necessarily mean that they had always paid their orders on time or that they were never in arrears. Comments on the questionnaire indicated that a proportion of men fall behind occasionally,or even regularly,but periodically pay their orders in full,including arrears.

9.3 Number of Months in Past Year Ex-husband has Paid Maintenance

Forty-one percent of the Calgary sample and 35% of the Edmonton sample said that their ex-husbands had paid their maintenance orders every month in the past year. Twenty-two percent of Calgary and 16% of Edmonton respondents said that their orders had been paid between 6 and 11 months in the previous year. Thirteen percent of Calgary and 19% of Edmonton respondents said that payments had been made, but that they were made for less than six months of the past twelve. The proportion of respondents who said that no payments had been made was 23% in Calgary and 30% in Edmonton. The differences between the two cities were not statistically significant.

9.4 Proportion of Maintenance Order Paid

The majority of respondents who had been paid (67% in Calgary and 72% in Edmonton) stated that they had been paid the full amount when they were paid.

9.5 Promptness of Payment

Among those respondents who indicated that they had been paid most (68% in Calgary and 75% in Edmonton) said that they were usually paid within a week of the prescribed date.

9.6 Payment Status

As stated in the introduction of this section, the payment status of ex-husbands was determined from the number of months they had paid over the past year together with the amount paid.

Thirty-four percent of the Calgary sample and 32% of the Edmonton sample indicated that their ex-husbands were excellent payers: that is they paid the full amount of the order every month. Fourteen percent and 15% of the Calgary and Edmonton respondents respectively were fair payers: that is either they paid irregularly or they didn't pay the full amount.

Twenty-seven percent of the Calgary respondents indicated that their ex-husbands were poor payers compared with 19% of those in Edmonton: they paid very irregularly and/or they made partial payments.

Finally, 25% of the Calgary respondents indicated that their ex-husbands were non-payers compared with 34% of the Edmonton respondents.

10.0 DETAILS CONCERNING EX-HUSBAND

Respondents were asked for information concerning their ex-husbands. This information included: their employment status, source of income, estimated income, ownership of home, whether he had established a permanent relationship with another person, whether or not there were children from this relationship and how the respondent felt about the relationship.

Table 10

Details Concerning Ex-husband

10.1 EX-HUSBAND'S EMPLOYMENT STATUS	CALGARY (n=106) %	EDMONTON (n=91) %
Unemployed	6.6	7.7
Employed full-time	80.3	71.4
Employed part-time	0.9	2.2
Employed in seasonal occupation	1.9	2.2
Full-time student	--	1.1
Other	2.8	3.3
Don't know	7.5	12.1
No information	0.9	--
10.2 SOURCE OF EX-HUSBAND'S INCOME	(n=104)	(n=90)
Self-employment	23.1	23.4
Wages/Salary	69.4	63.4
Investments	1.9	1.1
Unemployment Insurance	0.9	--
Social assistance	0.9	1.1
Other	1.9	4.4
Don't know	1.9	6.6
No information	2.8	1.1
10.3 ESTIMATED AMOUNT OF EX-HUSBAND'S INCOME	(n=98)	(n=87)
Up to $5000	1.0	3.4
$5001 to $10,000	4.0	5.7
$10,001 to $15,000	8.2	9.2
$15,001 to $20,000	11.2	9.2
$20,001 to $25,000	25.6	25.4
$25,001 to $30,000	18.4	6.9
Over $30,001	19.4	17.3
Don't know	12.2	22.9
No information	8.4	4.4

Table 10, cont.

10.4 OWNERSHIP OF HOME BY EX-HUSBAND	CALGARY (n=102) %	EDMONTON (n=89) %
Yes	52.9	48.3
No	42.2	48.3
Don't know	4.9	3.4
No information	4.7	2.2
10.5 EX-HUSBAND INVOLVED IN A PERMANENT RELATIONSHIP	(n=106)	(n=91)
Yes (married)	34.9	30.7
Yes (living together)	29.2	29.7
No	14.2	12.1
Don't know	21.7	27.5
No information	0.9	0
10.6 EX-HUSBAND HAS CHILDREN FROM RELATIONSHIP	(n=68)	(n=55)
Yes	22.1	25.5
No	77.9	74.5
No information	2.9	--
Not applicable	34.6	39.6
10.7 NUMBER OF CHILDREN FROM NEW RELATIONSHIP	(n=13)	(n=12)
One	76.9	75.0
Two	23.1	16.7
Three	--	--
Four	--	8.3
No information	13.3	--
Not applicable	86.0	84.6

Table 10, cont.

10.8 CHILDREN BROUGHT TO NEW RELATIONSHIP BY NEW PARTNER	CALGARY (n=66) %	EDMONTON (n=51) %
Yes	34.8	37.3
No	65.1	62.7
No information	5.7	7.2
Not applicable	34.6	39.6
10.9 FEELINGS CONCERNING NEW RELATIONSHIP	(n=68)	(n=55)
Good	25.0	27.3
Bad	16.2	10.9
Indifferent	55.9	41.8
Don't know	2.9	20.0
No information	2.9	--
Not applicable	34.6	39.6

10.1 Ex-Husband's Employment Status

Eighty percent of Calgary respondents said that their ex-husband was employed compared to 71% of Edmonton respondents. Seven percent of the Calgary respondents and 8% of those in Edmonton said that their ex-husbands were unemployed at the time of the study.

10.2 Source of Ex-Husband's Income

Ninety-one percent of the Calgary respondents and 87% of those in Edmonton said that their ex-husband's major source of income was self-employment or wages/salary.

10.3 Estimated Amount of Ex-Husband's Income

A quarter of the respondents in each city, who did estimate their ex-husband's income, thought it was between $20,000 and $25,000 per year. Calgary respondents tended to estimate their ex-husband's income at higher levels than did Edmonton respondents. However, such a comparison is not conclusive given that one of every five respondents either did not know or did not answer the question.

10.4 Ownership of Home by Ex-Husband

About half of the respondents in each city indicated that their ex-husbands owned a home. Again the question of home ownership may not have been straightforward. The ex-husband could own a house jointly with the respondent as a part of the divorce settlement.

10.5 Ex-Husband Involved in A Permanent Relationship

Nearly two-thirds of the sample (64% in Calgary and 60% in Edmonton) said that their ex-husbands were involved in a permanent relationship with another person.

10.6 Ex-Husband has Children from this Relationship

Of those who reported that their ex-husband had a relationship with another person, 22% in Calgary and 26% in Edmonton reported that their ex-husbands had children from this relationship.

10.7 Number of Children from New Relationship

Three-quarters of those who reported that their ex-husbands had children from a new relationship said that their ex-husbands had one child.

10.8 Children Brought to New Relationship by New Partner

About one-third of the sample (35% in Calgary and 37% in Edmonton) who indicated that their ex-husbands were involved in a new relationship, said that their ex-husband's partner brought children to the relationship.

10.9 Feelings Concerning New Relationship

The majority of respondents (58% in Calgary and 52% in Edmonton) were either indifferent or didn't know how they felt about the new relationship. A minority (16% in Calgary and 11% in Edmonton) said they felt bad about it.

11.0 NEW RELATIONSHIP OF RESPONDENT

Respondents were asked if they had formed a permanent relationship with another person and if so, when it began. From this information the number of months between the divorce and the new relationship was calculated. Those who had formed a permanent relationship with another person were asked if there had been any children, and if so, how many. They were also asked: whether their partner had brought any children to the relationship, if so, how many, what their partner's source of income was and to estimate his yearly income.

Table 11

New Relationships of Respondents

11.1 NEW RELATIONSHIP OF WIFE	CALGARY (n=105) %	EDMONTON (n=89) %
Yes, married	16.2	7.9
Yes, living together	14.3	17.9
No	69.5	74.2
No information	1.8	2.2
11.2 TIME BETWEEN DIVORCE AND NEW RELATIONSHIP	(n=31)	(n=21)
More than 2 years before divorce	12.9	9.5
1 to 2 years before divorce	3.2	--
1 month to 1 year before divorce	29.1	14.3
Within 1 year of divorce	12.8	28.6
1 to 2 years after divorce	25.9	14.3
More than 2 years after divorce	16.1	33.3
11.3 CHILDREN FROM NEW RELATIONSHIP	(n=31)	(n=23)
None	83.9	95.7
One	9.7	4.3
Two	6.5	--
Not applicable/no information	71.0	74.7

Table 11, cont.

11.4 CHILDREN BROUGHT TO RELATIONSHIP BY WIFE'S PARTNER	CALGARY (n=31) %	EDMONTON (n=23) %
None	90.3	82.6
One	3.3	4.3
Two	6.5	13.0
Not applicable/no information	71.0	74.7
11.5 WIFE'S PARTNER'S MAJOR SOURCE OF INCOME	(n=32)	(n=24)
Self-employed	18.7	8.3
Wages/Salary	78.2	87.5
Investments	--	4.2
Unemployment Insurance	3.1	--
Not applicable/no information	70.1	73.6
11.6 ESTIMATED INCOME OF WIFE'S PARTNER	(n=31)	(n=19)
Up to $5000	3.2	--
$5001 to $10,000	--	5.3
$10,001 to $15,000	12.9	--
$15,001 to $20,000	25.8	31.5
$20,001 to $25,000	22.6	26.3
$25,001 to $30,000	22.6	15.8
Over $30,000	3.2	5.3
Don't know	9.7	15.8
Not applicable/no information	71.0	79.1

11.1 New Relationship of Wife

Somewhat less than a third of the respondents (Calgary: 31% and Edmonton: 26%) indicated that they had formed a permanent relationship subsequent to their divorce. Roughly half (52%) of Calgary respondents who had formed a permanent relationship were married as compared to less than a third of Edmonton respondents (31%). However, the differences between the two cities were not statistically significant.

11.2 Time Between Divorce and New Relationship

Respondents were asked to specify the date which their new relationship began. Nearly half (45%) of the Calgary respondents said that their new relationship began before their divorce was finalized. This compares to 24% of the Edmonton respondents. However, the reader should be cautioned about making comparisons as the size of this sub-sample is very small.

11.3 Children from New Relationship

Most of the respondents (84% in Calgary and 96% in Edmonton) said that they had not had any children from their new relationship.

11.4 Children Brought to New Relationship by Wife's Partner

Again most respondents who answered this question said that their new partner had not brought any children to the new relationship (in Calgary 90% and in Edmonton 83%).

11.5 Wife's Partner's Major Source of Income

Almost all of the respondents said that their partner's major source of income was from wages or salary or earnings from self-employment.

11.6 Estimated Income of Wife's Partner

The modal income category for both cities was $15,001 to $20,000.

12.0 ACTION TO BE TAKEN IF MAINTENANCE ORDER WAS NOT PAID REGULARLY

This section of the questionnaire applied only to women who had not received their maintenance order regularly. They were first asked if they had ever taken their ex-husband to court for non-payment and if not, why not. If they had, they were asked: if he actually appeared in court, whether he began to pay his order and whether he continued to pay.

All the respondents, to whom this section applied, were asked whether they would be willing to force payment through the garnisheeing of their ex-husband's wages and whether they would be willing to have their ex-husband jailed for non-payment.

Table 12

Action To be Taken if Maintenance Order was not Paid Regularly

12.1 ATTEMPTED TO TAKE EX-HUSBAND TO COURT FOR NON-PAYMENT	CALGARY (n=67) %	EDMONTON (n=57) %
Yes	53.7	43.8
No	46.3	56.2
Not applicable/no information	37.4	37.4
12.2 IF NOT, WHY NOT?	(n=30)	(n=30)
Don't know where he lives	3.3	6.6
Hasn't missed enough payments	30.0	23.3
Don't know how	3.3	--
Too much trouble	13.3	16.7
Court won't be able to make him pay	13.3	26.8
Other	36.8	23.3
Don't know	--	3.3
No information/not applicable	72.0	67.0
12.3 APPEARANCE IN COURT OF HUSBAND IF WIFE ATTEMPTED TO TAKE HIM TO COURT	(n=36)	(n=25)
Yes	50.0	56.0
No	47.2	40.0
Don't know	2.8	4.0
Not applicable	56.4	72.5
No information	--	--

Table 12, cont.

12.4 IF HE APPEARED IN COURT WHETHER OR NOT HE BEGAN TO PAY HIS MAINTENANCE ORDER	CALGARY (n=18) %	EDMONTON (n=13) %
Yes	50.0	61.5
No	50.0	38.5
Not applicable	66.4	72.5
No information	--	--
12.5 IF HE BEGAN TO PAY WHETHER OR NOT HE CONTINUED TO PAY HIS MAINTENANCE ORDER	(n=9)	(n=8)
Yes	22.2	75.0
No	77.8	25.0
Not applicable/no information	--	--
12.6 RESPONDENT WILLING TO HAVE MAINTENANCE ORDER DEDUCTED FROM EX-HUSBAND'S WAGES	(n=59)	(n=53)
Yes	76.3	60.4
No	23.7	39.6
Not applicable	24.3	28.6
No information	20.6	13.2
12.7 RESPONDENT WILLING TO HAVE EX-HUSBAND JAILED FOR NON PAYMENT	(n=59)	(n=53)
Yes	37.3	35.8
No	62.7	64.2
Not applicable	24.3	13.2
No information	20.6	13.2

12.1 Attempted to Take Ex-husband to Court if Maintenance Order was not Paid Regularly

Roughly half of the respondents (54% in Calgary and 44% in Edmonton) had attempted to take their ex-husbands to court for non-payment of the orders.

12.2 If Respondent had not Taken Ex-husband to Court, Reason for This

The most common given reason in Calgary (30%) was that the ex-husband had not missed enough payments, and the second and third most common reasons were that it was too much trouble or that the court would not be able to make him pay (13% each).

In Edmonton, the most frequently mentioned reason was that the court wouldn't be able to make him pay (27%) and the second was that it was too much trouble (17%).

12.3 Appearance in Court of Ex-husband if Wife Attempted to Take him to Court

Roughly half of the respondents (50% in Calgary and 40% in Edmonton) reported that their ex-husband failed to appear in court.

12.4 If he Appeared in Court, Whether or not he Began to Pay his Maintenance Order

Somewhat over half of the respondents (50% in Calgary and 62% in Edmonton) reported that their ex-husband did begin to pay his maintenance order. Caution should be used in generalizing from these percentages as the number of respondents to which the question was applicable was very small.

12.5 If he Began to Pay, Whether or Not he Continued to Pay his Maintenance Order

Most of the Calgary respondents who answered this question reported that their ex-husband did not continue to pay, whereas the opposite was the case in Edmonton. However, the number of valid cases was too small be draw any inferences from this information.

13.0 INVESTIGATION OF THE REASONS FOR THE PAYMENT AND NON-PAYMENT OF MAINTENANCE ORDERS

13.1 Payment Status by Whether or Not Respondent Was Involved in a Permanent Relationship

Table 13.1

Payment Status by Permanent Relationship of Respondent

PAYMENT STATUS	WIFE INVOLVED IN PERMANENT RELATIONSHIP	
	YES %	NO %
Excellent	28.3	35.1
Fair	17.0	13.4
Poor	22.6	22.4
Non-payer	32.1	29.1
	(n=53)	(n=134)

The fact that the wife was involved in a new relationship (whether remarried or living common-law) seemed to make no difference in the payment status of the ex-husband.

13.2 Payment Status by Whether or Not Ex-Husband was Involved in a Permanent Relationship

Table 13.2

Payment Status by Permanent Relationship of Ex-Husband

PAYMENT STATUS	EX-HUSBAND INVOLVED IN PERMANENT RELATIONSHIP	
	YES %	NO %
Excellent	37.0	28.0
Fair	15.1	12.0
Poor	21.8	32.0
Non-Payer	26.0	28.0
	(n=19)	(n=25)

Although there appears to be a difference between the two groups, this difference is not significant given the small number of ex-husbands who had not formed a new relationship.

13.3 Payment Status by Whether or Not Ex-Husband had Children from New Relationship

There were too few instances of ex-husbands having children from a new relationship or of their partners bringing children to the relationship to produce a meaningful cross-tabulation.

13.4 Payment Status by Estimated Income of Ex-Husband

Table 13.4

Payment Status by Estimated Income of Ex-Husband

PAYMENT STATUS	ESTIMATED INCOME		
	Less than $10,000 %	$10,001 to $20,000 %	Over $20,000 %
Excellent	7.7	28.6	39.6
Fair	23.1	17.1	12.9
Poor	30.8	25.7	25.7
Non-payers	38.5	28.6	21.8
	(n=13)	(n=35)	(n=101)

There appeared to be some relationship between the incomes of ex-husbands and their payment status: the more well-to-do tended to pay better. However, this relationship was not statistically significant.

13.5 Payment Status by Income of Wife

Table 13.5

Payment Status by Income of Wife

PAYMENT STATUS	INCOME OF WIFE		
	Under $10,000 %	$10,001 to $20,000 %	Over $20,000 %
Excellent	28.6	40.2	60.0
Fair	16.5	14.6	--
Poor	26.4	20.7	--
Non-payers	28.6	24.4	40.0
	(n=91)	(n=82)	(n=5)

Again, there was no relationship between the yearly incomes of the respondents and the payment status of the ex-husbands.

13.6 Payment Status by Home Ownership of Respondent

Table 13.6

Payment Status by Home Ownership of Respondent

PAYMENT STATUS	HOME OWNERSHIP	
	YES %	NO %
Excellent	36.8	31.4
Fair	16.2	13.2
Poor	25.0	21.5
Non-payers	22.1	33.9
	(n=68)	(n=121)

Although it appears that respondents who owned their own homes were more likely to have their maintenance orders paid, the difference was not statistically significant.

13.7 Payment Status by the Origin of the Order

Table 13.7

Payment Status by the Origin of the Order

PAYMENT STATUS	ORIGIN OF ORDER		
	Family Court %	Supreme Court %	Voluntary Order %
Excellent	26.9	32.1	45.0
Fair	11.5	14.3	12.5
Poor	21.2	25.0	30.0
Non-payers	40.4	28.6	12.5
	(n=52)	(n-84)	(n=40)

It appears that maintenance orders originating from Family Court were less likely to be paid than those originating from the Supreme Court or voluntary orders. However, the difference was not statistically significant ($Chi^2 = 74.2, .12 > p$).

13.8 Payment Status by Ownership of Home by Ex-Husband

Table 13.8

Payment Status by Ownership of Home by Ex-Husband

PAYMENT STATUS	OWNERSHIP OF HOME	
	YES %	NO %
Excellent	42.1	22.0
Fair	14.7	14.6
Poor	18.9	30.5
Non-payers	24.2	32.9
	(n=95)	(n=82)

There was a significant relationship between the ownership of a home by the ex-husband and his payment status ($Chi^2 = 91, .05 > p$). Ex-husbands who owned their home were somewhat better payers than those who didn't.

13.9 Payment Status by Income of Wife's Partner

There were too few cases to allow for a meaningful cross-tabulation.

13.10 Payment Status by Respondent's Having Formed a New Relationship prior to Divorce

Again, there were too few cases to allow for a meaningful cross-tabulation.

13.11 Payment Status by Amount of Order

The mean amounts of maintenance ordered were compared across the four categories of payment status. The results are given in Table 13.11 below:

Table 13.11

Mean Amounts of Maintenance Orders
by Payment Status

PAYMENT STATUS	MEAN AMOUNT OF AWARDS	NUMBER OF CASES	STANDARD DEVIATION
Excellent	$256	60	$176
Fair	165	27	130
Poor	215	43	171
Non-payers	170	51	104

While the non-payers had a significantly lower mean amount of maintenance awards than the excellent payers ($Z=3.19$, .01 .p), the relationship is not consistent across all four categories.

13.12 Payment Status by Monthly Net Income of Respondent

The mean monthly net income of the respondents was compared across the payment status categories. The results are presented in Table 13.12.

Table 13.12

Mean Monthly Net Income by Payment Status

PAYMENT STATUS	MEAN NET INCOME	NUMBER OF CASES	STANDARD DEVIATION
Excellent	$784	57	$254
Fair	757	25	204
Poor	779	36	470
Non-payers	940	43	906

Although the average net income of respondents who said that their ex-husbands were non-payers appears to be higher than the other categories, there was too much variation to come to a firm conclusion.

APPENDIX "A"

Reasons Given for Payment Arrangements Being Unsatisfactory

1. Divorce underway
2. Court did not order payment yet
3. Not really needed
4. We made an agreement
5. He won't work
6. He could not pay some months
7. Thrown out of court
8. Lawyer investigating now
9. Afraid he will cause problems with my son.
10. Cannot afford it
11. I think it is up to Family Court to go about it
12. Haven't needed it

APPENDIX "B"

Verbatim Answers to Question on Why Respondents Thought the Payment Arrangements were Unsatisfactory

1.0 INTRODUCTION

None of the respondents interpreted this question in the way intended. The question concerned the adequacy of the payment arranged. However, most used the question to comment on the payment and non-payment of maintenance orders and the amount of the awards. The responses to the question have been grouped into 7 categories:

1. Comments concerning non-payment of orders
2. Comments concerning the courts and maintenance payments
3. Comments concerning husband's financial situation as a reason for non-payment
4. Comments concerning the difficulties experienced in getting husbands to pay
5. Comments concerning difficulty of dealing with ex-husbands who leave the province
6. Comments concerning the inadequacy of the amount of the order
7. General comments

APPENDIX B, cont.

1.1 Comments Concerning the Non-Payment of Maintenance Order

He never pays.

Payments were not made.

The maintenance order was never set and he never made an attempt to pay anything.

Never received.

Not received, and don't know how payments are supposed to be paid,

Husband only contributed day care expenses and ceased to make any payment after one year. Unable to seek legal aid because my earnings ($400.00) per month exceeded guidelines for free legal help in California, so went without.

Because he doesn't pay regularly.

Never received any cheques.

Because it has never been paid.

I haven't been receiving cheques regularly or for the total amount.

The payments are either late or they don't arrive at all.

I don't get any of the support payments. I don't see a red cent of it.

He has never sent a payment since this arrangement was made.

The arrangement isn't satisfactory because I never receive any of the payments

APPENDIX B, cont.

1.1, cont.

He only paid $5.00, that was all.

I wasn't getting any payment at all.

Because he renegged on his payments, received six months payments out of a full year.

It is too easy not to pay. He was always behind in payments although he has plenty of money.

Because he has never paid a thing. I never wanted anything but the court said he had to pay.

Because he never pays and most of the time, I don't know where he lives.

His payments that were left to the father to make have been consistently late or not at all.

APPENDIX B, cont.

1.2 Comments Concerning the Courts and Maintenance Payments

It is not settled in family court yet, it has been almost two years and it is terribly difficult to raise 2 children on a very restricted budget.

It was only after I wrote off $1600.00 at court's request that Ontario began to monitor the payments carefully without my having to contact them each time.

Should have been made through the courts.

Before decree nisi, maintenance was set by a Family Court order. The Family Court structure does not seem to have sufficient teeth to enforce maintenance order reasonably. As it is, I have now asked Family Court not to attempt enforcing the order.

The court and social services have been unable to get him to pay regularly.

Family Court is too lax in enforcing their laws. Husbands can go to court, tell lies and walk off scott free $100.00 ($20.00 per child) is not enough support. The cost of living is so high and clothing and extras can't be covered properly.

He doesn't pay and I have to go to court, when I go I always come out with less, because of his debts. He can't pay, he says. He is a city bus driver. Can't see it myself.

APPENDIX B, cont.

1.3 Comments Concerning Husbands Financial Position for Reason for Non-payment

The cheques would bounce.

Either the cheque bounced or never arrived.

Intermittently made sure that there was enough funds in his account to be transferred to my account.

The cheque always bounced.

Never received more than 4 payments, 2 of which were sent back insufficient funds.

He stopped paying and had to go on welfare.

APPENDIX B, cont.

1.4 Comments Concerning the Difficulty Wives have Getting their Ex-Husbands to Pay

My husband never once paid the full amount, nor did he ever make monthly payments on a regular date, rather, when he felt like it, was hassled into it or begged to make a partial payment.

He has avoided efforts to get more support.

I have never received a child support payment on time, which was specified as due on the first of each month, without requests by phone (several) cajoling and general harassment.

APPENDIX B, cont.

1.5 Comments concerning Difficulty of Dealing With Ex-husbands who leave the Province

No protection if father leaves the country.

No, it was very hard to track him down.

Husband left town and there didn't seem to be anyone trying to locate him and demand this payment and because he was in Sask. seemed almost impossible to collect or so they say.

APPENDIX B, cont.

1.6 Comments Concerning the Inadequacy of the Amount of the Order

Can you support someone on $1.00 per year?

Not enough to help support three children.

It was at first, but I believe as the years go by, alimony should go up with inflation and it should not be taxed.

Not sufficient.

Every time another child came to live with me he cut it down.

I was satisfied with paying through the courts but not with the settlement.

At the time it was O.K., (1976) but now my rent has gone up and it is not enough at all.

Was adequate in 1975, inflation 1980.

Not enough for three teenage girls.

Insufficient.

APPENDIX B, cont.

1.7 General Comments

No guarantee payments will be made.

The man has not since ordered to.

Cheques are received in the mail around the middle of the month always backdated to the beginning of the month. I can't budget around when, or if, they arrive. Additionally, we are currently going to court, re: maintenance arrears, whether or not there are arrears, the amount of arrears, discontinuing all maintenance, raising maintenance, etc.

I feel that my husband's support payment is unsatisfactory. I feel you should be allowed to appeal the payment. I have tried with no success through a lawyer.

He never paid any child support until after I refused access and he took it back to court. At that time he was $3,000.00 in arrears which I never did receive.

Never since deserting the family has he made a complete payment, as ordered and now after four years in arrears, $6700.00.

Last few months his is in arrears.

He sends money twice a year in one lump sum of $300.00, twice a year. Would sooner get the money each month.

I feel I was not given the choice whether my spouse had to pay or not. I was told that I had to ask for some child maintenance or the judge might throw it out of court or overrule my decision if I asked for nothing.

After about a year of not receiving any maintenance payments, I found that I didn't want them or need them.

Didn't want any maintenance to begin with. But for visiting rights it was like an admission fee to visit - the court didn't allow visiting rights for my ex-husband anyway. So chances are he won't pay the $50.00 per month. The most he would pay was $50.00 per month.

Due to the fact he never made payments, and since we've managed financially, did not miss payment.

APPENDIX "C"

Verbatim Comments as to Why Ex-Husband Pays Maintenance Order Regularly

1.0 INTRODUCTION

Near the end of the questionnaire, respondents who said that their orders were paid regularly were asked to specify,in their own words, why they thought this was the case. The responses to this question were grouped into categories:

1. For the sake of the children.
2. Fear of legal proceedings
3. Ex-husband a responsible person.
4. Fear of visiting privileges being revoked.
5. Guilt
6. Because of Court Order
7. Voluntary payment
8. General comments.

1.1 For the sake of the Children

Responsibility to the children.

The children.

It is his daughter and he wants to support her.

So he may keep visiting the children.

Good relationship - care for his children.

He realizes the financial obligations of raising these 2 boys should be shared by himself.

Concern for his child.

He feels it is his responsibility to help to support his children.

Small son who is seven and growing needs a lot of things for school, etc.

Because of the children.

Duty towards me (or a guilty conscience) but mostly his love of the child. He was always an excellent father and the children always came first.

He is interested in the well-being of his daughter.

He values his relationship with his son and considers it his responsibility to help support him.

To help support the kids.

He loves his child and would not jeopardize his relationship or want to cause him any hardship.

He cares about his son Chris and he wants him to have some financial help when he needs it.

So he can see the kids and he feels responsible for them.

He wants his children to think good of him. He wants to help his children financially but does not make time to be with them. He moved to Ottawa about three years ago.

He knows he has no choice plus he cares for his children.

His desire to provide for the children.

APPENDIX C, Cont.

1.2 Fear of Legal Proceedings

To avoid any embarassment which might result in his being taken to court.

Fear of the law.

Because he is afraid if he doesn't pay he will go to jail as soon as he finds out differently, he will stop paying.

Fear of law and my lawyer.

Fear of court action.

Scared of being taken to court and made to pay which would not go over big with his family who are against him now for his preceding actions and behavior.

To stay out of jail and also he does want to help me.

I don't know exactly, but I would take him to court for non-payment or garnishee his wages.

Can't afford to be involved with the law.

Threat of garnishee.

Has been regular since garnishee put into effect.

APPENDIX C, cont.

1.3 Ex-Husband a Responsible Person

Because it is a minimal amount and he is basically a law abiding citizen.

He pays directly from pay office to my bank account and never sees the money, he would pay anyway.

He pays regularly and in full because he is basically an honorable person. He feels a responsibility to the children and we discussed the amount and agreed rather than having it imposed.

Very responsible person.

Maturity, sense of responsibility and fairness.

Feels it is his responsibility.

Conscience.

He is a good man, I have always been a good wife, he still feels responsible for me. Still respect each other.

Is a law abiding citizen and is always very correct in business matters.

Sense of responsibility, cares about children, feels guilty.

We are still affectionate towards each other, and he is an honorable man. He would not let me down - ever.

Sense of responsibility and the fact that there are no hard feelings on either side.

Basic integrity, religious beliefs, and our mutual agreement on what was fair for both of us.

He is a responsible adult who is completely capable of acknowledging his obligations, it is part of his moral code. The figure payable creates little financial strain. He maintains an interest and concern for the welfare of our children.

Sense of responsibility.

Good person.

He is a very organized person with a good moral sense who feels he must honor his obligations without being forced by others.

APPENDIX C, cont.

1.4 Fear of Visiting Privileges Being Revoked

Child visiting privileges revoked.

He knows I would not allow him to see the children if he did not pay.

APPENDIX C, Cont.

1.5 Guilt

He feels it was his fault the marriage broke up so I guess it eases his conscience. Has no one else now it seems so he clings to our son.

Guilty conscience.

He has guilt feelings over the divorce and makes up by paying his payments. He feels responsible for children financially.

Guilt, and "playing the father" role.

1.6 Because of Court Order

Just the fact that he was ordered by the Court.

Because he knows I would take him to court if he didn't.

Because he was ordered by the Supreme Court to do so, though I don't think it will continue for much longer as he is moving to Spain (hopefully at will).

The reason he pays regularly is that the Family Court will take it back to court.

Court order.

Supreme Court Order 1979.

He was ordered by welfare court, or else they will take action against him.

Because he agreed to pay it regularly when getting separation in front of the lawyer.

I will take him to court.

Court order.

Court order, does not want to jeopardize his position at work.

I believe since Family Court took him to court he was informed that he should pay monthly.

Because I think he realizes that in not doing so I would take legal action against him and go back to court.

APPENDIX C, cont.

1.7 Voluntary Payment

There is no maintenance order, ex-husband pays voluntarily. Since the arrangement this only been in effect a couple of months, I cannot give a definite answer. If the voluntary payments are not regular, I will apply to the court for a maintenance order.

1.8 General Comments

It was one item agreed to before the separation and it does not hurt him financially. Separation papers have been signed and he feels legally bound to do so.

I am very fortunate with maintenance (so far) as he always gives me post-dated cheques for the year and he is out of town so much.

Payments are made through post dated cheques which I am not even sure he knows about. If indeed he does, it would be his way of acknowledging his duty as a father.

I do not know.

Wife's insistence.

He has a government job and it certainly wouldn't look good if he lapsed and I had to "start up" with him.

Because we are not yet divorced and he does not want to have the court against him when our case comes up.

I don't know what it is. He is paying now, but he sure didn't before.

Because he could lose his job, because he works for the city.

When he was paying regularly it was because his second wife handled their finances.

As I am just starting to receive maintenance I can't answer this other than to say that I don't think I will run into any problems as far as not receiving my maintenance regularly.

Don't know.

Peaceful relationship with me and having access to children whenever he desires.

The fact he is fairly up-to-date is because of harassment on my part. So far, it works.

He has to, I suppose. He can certainly afford it and more.

APPENDIX "D"

Verbatim Comments Concerning the Reasons for Ex-Husband's Irregular or Non-Payment of Maintenance Order

1.0 Respondents who reported that their ex-husbands were in arrears were asked to amplify as to why they thought this was the case. The comments have been categorized in the following way:

1. Ex-husband's attitude
2. Hostility towards wife
3. Irresponsibility
4. Courts and laws
5. Second marriage of ex-husband
6. Lack of money
7. Lack of care towards children
8. General comments

APPENDIX D, cont.

1.1 Comments concerning Ex-Husband's Attitude as Reason for Non-payment

He doesn't feel like it.

He does not want me to have any money and has never given me any support, I had to go on social assistance to feed my children as they were all small when we separated.

He says I don't deserve further monies since I never contributed anything to the marriage financially.

Just stingy. He doesn't want to give it to me. I am too proud to ask. My lawyer thinks I should.

First husband - we had moved from the Province for a year and he thought he could get away with it as he felt it he didn't see the kids he didn't have to pay.

He pays when it suits him and also I think he feels he shouldn't have to pay.

He is in Ottawa. Doesn't see the children and thinks he does not have to pay. He resents it.

Stubborness.

German background, doesn't feel he has to pay.

He feels the divorce is my fault, and he feels he shouldn't have to pay anything.

Just hoped he could get away with it.

APPENDIX D, cont.

1.2 Comments concerning Ex-Husband's Hostility to Wife as Reason for Non-payment

Not from lack of funds, he is totally hostile to myself, mind you I'm no rose.

Wishing poor luck to me.

To make it hard for me.

He has never been able to handle money, always required large quantities of cash in pocket to spend on himself and being free to be an individual. No obligations however are ever met. Additionally, it is a matter of pure vindictive revenge directed toward myself.

He probably thinks I am stupid.

He believes once I remarried, he should not pay support. He has no explanation for not paying while I was single.

Because I'm living common-law.

One episode, I was "punished" for having a male friend.

It isn't that he doesn't have the money, he just uses money as a whip. But I don't really need it anymore, thank God.

Spite.

APPENDIX D, cont.

1.3 Comments concerning Ex-Husband's Irresponsibility as Reason for Non-Payment

Because he has always evaded his responsibilities and always comes off scott free.

Selfishness, and not enough concern for his children.

I feel he sees the payments as a favor he is doing for me and not as maintenance for the children's needs.

He felt he should not be responsible for our children's maintenance if he did not have custody.

My ex-husband is irresponsible and doesn't consider these matters as important. Refuses to understand why and how payments will be used.

He just didn't want to make the effort.

Same reason for which we were divorced - irresponsibility.

He could never hold responsibility. He doesn't even support the family he has got.

He is completely irresponsible.

Selfish.

Just selfish and not thinking of how we are doing financially.

He is very irresponsible and drinks too much.

Lack of responsibility.

He has said that he wants to be a Playboy. He feeds his racehorses and said he will not feed his children as if there is nothing wrong with our retarded daughters.

APPENDIX D, cont.

1.4 Comments Concerning the Courts and Laws as Reasons for Ex-husbands Non-payment

Anyone could avoid paying it in this country and get away with it no matter what the law states.

He knew no one would really push the issue and so really didn't care. He is an alcoholic also.

The law is so slow he knows he has more time than I do when it comes to waiting games. He starves us out.

Because he is in Ontario and I am in Alberta, he has deducted payments to have me pay for all travelling on his access order. He is $1000.00 in arrears now.

Just didn't think he should have to pay and when he never paid he knew nothing would be done about it.

Cheap, plus he can't be forced to pay.

The laws are not strong enough making him pay, and it is not easy to go about trying to get it re-opened in court.

APPENDIX D, cont.

1.5 Comments Concerning Ex-Husband's Second Marriage as Reasonsfor Non-Payment

Remarried, may not have the money.

Most separated people get re-married or live with someone and can't keep two families going.

Started new life for himself, stable relationship with two children, new obligations and responsibilities.

Not enough extra money - has three children to look after in the new relationship and knows I accept that he will pay me what he can when he can.

He has overextended himself in his present marriage and support for his child seems to be on the bottom of his list of priorities.

1.6 Comments Concerning Ex-husband's Lack of Money as Reason for Non-Payment

Declared bankruptcy.

Stubborn, in debt up to his ears always.

His debt comes before mine, that is what he said.

Not working too steady and has to pay his Master Charge that cost him $1300.00 for one week. I guess that he thought he was in love, ha ha. He does pay when he has the money.

Unemployment - if he is working full time he pays me on time, if unemployed I don't expect it on time. He makes up for it when he is working.

He is a seasonal worker, we have an agreement that he may lapse 1 or 2 months between payments.

He hasn't been working for a long time, and I don't think anyone tried to make him pay maintenance or take to court for that matter.

He doesn't work that much.

According to him, he does not have the money, I honestly do not know.

His other financial responsibilities at times leave little left for support payments and I don't force the issue as he does pay when he has the money.

Unemployed part of the time and just unable to pay due to only receiving a draw on his commissions for some months. I fully expect he will pay eventually.

Has no income, he hates to work, call him a bum. You can't get blood from a stone.

Seasonal work.

1.6 cont.

He wants a higher standard of living, than paying maintenance allows.

Lives high, has housetrailer, has boat, is always in debt.

Has too many bills.

He was laid off from work, his other payments are too high.

Gambling debts.

His attitude when I phone to see where it is, is you will get it when its there, he never has given me a reason on why it is late.

His main reason was didn't stay on job, and went from one to another job all his life.

He only seems to work now and then, and when he was living with a woman, she had two kids at home, which probably took most of his money.

APPENDIX D, cont.

1.7 Comments concerning Ex-husbands Not Caring About Children as Reason for Non-Payment

My ex-husband couldn't care less if our child starved to death! He has no interest in seeing him or helping me to support him.

Doesn't care about the child, doesn't want to help in any way.

He does not have any sense of responsibility nor has he ever had any normal parental feelings. As indicated above, his mother makes the payments.

My husband never cared about his son. He wanted a girl, and because he didn't have his way, he never gave a damn.

Indifference. If he feels like it he pays, if he doesn't feel like it, he doesn't pay.

Same reason as the marriage breakdown, the welfare of his children and/or family is not a priority item.

He sincerely believes because we are not together it is not his responsibility My (common-law) boyfriend does not support my children (i.e. he does not pay my babysitters).

He does not care about the child, and thinks she is my responsibility.

He doesn't like me. He doesn't feel any responsibility to us.

He doesn't care, never did.

Can't afford it and doesn't care.

Feels no obligation toward our son.

His lifestyle is too high and he is losing interest in his son.

He doesn't think he should have to because he no longer lives with me.

Not interested. Too cheap.

APPENDIX D, cont.

1.7 cont.

He says he no longer has the kids living with him so why should he take care of them.

Feels no responsibility and doesn't feel he has to, ignorance and selfishness.

Probably figures I don't need or deserve it though it would help as I was left with a lot of debts, like bank loans I had signed for and decided to pay because I wanted a good credit rating.

He is not responsible, likes to do a lot of drinking in the bars, always likes to go out and have a good time without paying his bills. Doesn't really care.

He simply cannot be bothered.

Lack of interest.

Doesn't care.

APPENDIX D, cont.

1.8 General Comments Concerning Why Ex-Husbands do not Pay their Maintenance Orders

The influence of the whore he is living with.

Drinking problem.

His wife influences his decisions. He is now not going to pay for one the court ordered him to pay for unless I pay the income tax.

His second marriage has recently broken up. The relationship with the women he left his wife for has broken up and he probably has reverted to drinking.

I really can't say, I don't know.

I will take him to court again.

Unknown.

I don't know if he is working or not.

Can't be bothered going to Family Court to pay.

I think he thought there was nothing I could do.

His unemployment and mental problem.

I don't know.

Buys too much dope.

He always pays in full even if he has been two weeks or up to 3 months late. Usually late due to money shortage that I don't understand.

I am sure he feels payments are adequate at this time.

1.8 cont.

Just willing to abide court's decision.

I have no idea whether he is paying or not. I get the basic rate from welfare.

Because we both decided it was totally unnecessary. He supports the children when they visit him, why should he pay for them when I have them?

Never on time, twice a year, would sooner receive it each month.

Because he is an alcoholic.

He is conveniently forgetful and an excellent procrastinator.

It has not been ordered by the court as yet. I have just started divorce proceedings.

I don't know where he lives.

APPENDIX "E"

Copy of the Letter from the Institute
Of Law Research and Reform explaining
the purpose of the survey.

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402 LAW CENTRE
THE UNIVERSITY OF ALBERTA
EDMONTON, ALBERTA T6G 2H5
TELEPHONE (403) 432-5291

February 1980

Dear Householder:

More and more marriages in Alberta end up in separation or divorce. Generally, the court requires one partner to make payments for the support of the other partner and any children. This is a maintenance order. Often the payment of maintenance orders leads to financial and legal problems for everybody involved.

The Institute of Law Research and Reform is studying the problems people have concerning the payment or nonpayment of maintenance orders. In the end, the Institute wants to make recommendations concerning the reform of laws and legal procedures related to maintenance orders.

As part of this study, it has contracted the Canadian Institute for Research (CIR) to undertake a survey of people involved with maintenance orders. In the next couple of weeks, an interviewer from CIR will be knocking at your door. He or she will ask you whether you are paying or receiving payment from a maintenance order.

If you are, we need your help. At the moment, very little is known about the difficulties faced by people like yourself. And, better laws can only be made when the real problems of the people concerned are known. By giving us an account of your opinions and experiences, you will help to build the foundation for better and fairer laws and legal procedures.

The interviewer will show you a questionnaire. You can fill it in yourself or, if you wish, the interviewer will read the questions out to you. The choice will be yours. IN EITHER CASE, YOUR NAME WILL NOT APPEAR ON THE QUESTIONNAIRE AND WHAT YOU SAY WILL BE KEPT STRICTLY CONFIDENTIAL.

If you have any questions, please feel free to phone Roberta Davis or Rick Powell of CIR at 282-9401.

Your help in this important survey is greatly appreciated.

Yours sincerely,

Vijay Bhardwaj

Vijay K. Bhardwaj

/jh

APPENDIX "F"

Copy of a Completed Interviewer's Sample Sheet

INTERVIEWER'S SAMPLE SHEET

Visit	Address	Refused	Short Q-aire	Long Q-aire	Not at Home	Comments
[✓ 1] 2 3	Rossmont Rd. SW 24					
[✓ 1] 2 3	20		✓			
[✓ 1] 2 3	12		"			
[✓ 1] 2 3	8		✓			
[✓ 1] 2 3	7th Ave SW 4104			✓		pickup
[✓ 1] [✓ 2] [✓ 3]	4112A				✓	
[✓ 1] 2 3	4116		✓			
[✓ 1] 2 3	4124		"			
[✓ 1] [✓ 2] [✓ 3]	4132				✓	
[✓ 1] 2 3	4142		✓			
[✓ 1] [✓ 2] 3	4208		✓			
[✓ 1] [✓ 2] [✓ 3]	4212A				✓	
[✓ 1] 2 3	4220			"		
[✓ 1] 2 3	4228		✓			
[✓ 1] 2 3	4236					
1 2 3	Rossmer Rd. 25		✓			
[✓ 1] [✓ 2] 3	31		✓			

APPENDIX "G"

Copy of "The Incidence of Payment/Non-Payment of Maintenance Orders Questionnaire for Women

CANADIAN INSTITUTE FOR RESEARCH
IN THE BEHAVIORAL AND SOCIAL SCIENCES
109 Brentwood Professional Building, 3501 Charleswood Drive N.W.
Calgary, Alberta T2L 2C2   Phone: (403) 282-9401

THE INCIDENCE OF PAYMENT/NONPAYMENT OF MAINTENANCE ORDERS

QUESTIONNAIRE FOR WOMEN

Dear Respondent:

Thank you very much for your help in answering this questionnaire.

Most of the questions simply require you to circle the number beside the answer you wish to make. For example:

How long have you lived in Alberta?

one month or less ------------------------------------ 1
one to two months ------------------------------------ 2
three to six months ---------------------------------- 3
seven months to a year ------------------------------ [✓ 4]
one to three years ----------------------------------- 5
more than three years -------------------------------- 6

If you have lived in Alberta for, say, ten months, you would circle the number 4 as in the example.

There are a few questions which ask you to write in your answer. There is space provided for this.

There are some questions for which you may not know the exact answer. For example:

When did you cease to live together? ___________ month ___________ year

If you do not remember the exact month, a good guess will do.

Please note the instructions which are underlined or put in boxes like this:

18. Did you have any children from this marriage?

yes ------------------------ 1
no ------------------------- 2

IF YOU DON'T HAVE ANY CHILDREN, GO TO QUESTION 24

(1)				(5)
				1
				(6)

(for office use only)

1. How long have you lived in Alberta?

One month or less	1
One to two months	2
Three to six months	3
Six months to a year	4
One to three years	5
More than three years	6

2. How far did you go in school/university/college?

Grade 7 or less	1	College certificate or diploma	5
Grade 8 or 9	2	Some university courses	6
Grade 10 or 11	3	Bachelor's degree	7
High school graduate	4	Professional degree, MA or PhD	8

3. What is your age? ____________

4. What is your job status at present?

Self-employed	1
Employed full time	2
Employed part time	3
Employed in a seasonal occupation	4
Full-time student	5
Unemployed	6
Other (specify) ____________	7

5. IF YOU ARE EMPLOYED, what is your job? ____________________

6. What percentage of the time since your separation/divorce have you been employed on a full-time basis?

100%	1
75-99%	2
50-74%	3
25-49%	4
1-25%	5
I haven't been employed	6

7. What is your major source of income?

Earnings from self-employment -------------- 1
Wages/salary --------------------------------- 2
Investments ---------------------------------- 3
Unemployment Insurance --------------------- 4
Social assistance -------------------------- 5
Other (specify) ____________________ ------ 6

IF YOU ARE NOT RECEIVING SOCIAL ASSISTANCE, GO TO QUESTION 8.

(a) How much was your social assistance payment last month: $__________

(b) During your marriage, did you receive social assistance payments?

Yes ------------------------------- 1
No -------------------------------- 2

(c) Did you apply for social assistance because of your marriage breakdown?

Yes ------------------------------- 1
No -------------------------------- 2

8. What do you estimate your income, before taxes, from January 1, 1979 to December 31, 1979 to be? (include all sources)

Up to $5,000 ------------------ 1
$5,001 to $10,000 ------------- 2
$10,001 to $15,000 ------------ 3
$15,001 to $20,000 ------------ 4
$20,001 to $25,000 ---------------------- 5
$25,001 to $30,000 ---------------------- 6
Over $30,000 ---------------------------- 7

9. What is your average take-home income per month?

$____________________

10. Do you own your own home?

Yes ------------------------------- 1
No -------------------------------- 2

11. What do you pay per month in mortgage or rent? $________________

12. About what are your average monthly payments for outstanding debt, including loans from banks or loan companies, credit cards, department store accounts, and so on?

$____________________

13. How many children do you claim as deductions for tax purposes? __________

14. How many other dependents can you claim for tax purposes? ____________

15. Are you divorced, formally separated or just separated?
(To be formally separated, you would have had to have registered the separation in court.)

Divorced ------------------------- 1
Separated ------------------------ 2
Formally separated --------------- 3

16. When were you married? ________ month ________ year

17. When did you cease to live together? ________ month ________ year

18. When were you divorced or formally separated? ________ month ________ year

19. Were you divorced or separated in Alberta or outside the province?

Alberta -------------------------- 1
Outside -------------------------- 2

20. Did you have any children from this marriage?

Yes ------------------------------ 1
No ------------------------------- 2

IF YOU DIDN'T HAVE ANY CHILDREN, GO TO QUESTION 26

21. How many children did you have? ____________

22. Who was awarded custody of your children?

You ---------------------------- 1
Your husband ------------------- 2
Other family relation ---------- 3
Social agency ------------------------ 4
Both you and your husband ------------ 5

23. Were access arrangements specified by the court?

Yes ------------------------------ 1
No ------------------------------- 2

24. Do you allow, or are you in fact allowed, access to your children?

Yes ------------------------------- 1
No -------------------------------- 2

25. Are you satisfied with the access arrangements for your children?

Yes ------------------------------- 1
No -------------------------------- 2

26. What was your marital status at the time of your marriage to your ex-husband?

Never married before -------------- 1
Divorced -------------------------- 2
Widower --------------------------- 3

27. Is your maintenance order from the Family Court, the Supreme Court, or is it voluntary?

Family Court ---------------------- 1
Supreme Court --------------------- 2
Voluntary ------------------------- 3
Don't know ------------------------ 4

28. IF IT WAS FROM FAMILY COURT OR SUPREME COURT, were you represented by a lawyer?

Yes ------------------------------- 1
No -------------------------------- 2

29. Was your maintenance order made in Alberta or outside of Alberta?

In Alberta ------------------------ 1
In another province --------------- 2
Outside of Canada ----------------- 3

30. IF YOUR MAINTENANCE ORDER WAS MADE OUTSIDE OF ALBERTA, is the order currently being enforced by a court in Alberta?

Yes ------------------------------- 1
No -------------------------------- 2

31. What is the monthly payment on your maintenance order? $ ______________

☐☐☐☐

32. Is your ex-husband currently behind in his payments of the maintenance order?

Yes -------------------------------- 1
No --------------------------------- 2

33. (a) How were the payments to be made?

Direct cheque -- 1
Deposited in your bank account ----------------------- 2
Through Family Court - ordered payment --------------- 3
Through Family Court - voluntary payment ------------- 4
Through Social Services Department ------------------- 5
Not specified by court ------------------------------- 6
Don't know --- 7

(b) Was this arrangement satisfactory?

Yes -------------------------------- 1
No --------------------------------- 2

(c) IF NO, why not? ____

____

____

____

____

34. (a) Do you think this amount is fair to you?

Yes -------------------------------- 1
No --------------------------------- 2
Don't know ------------------------- 3

(b) Do you think this amount is fair to your ex-husband?

Yes -------------------------------- 1
No (too much) ---------------------- 2
No (too little) -------------------- 3
Don't know ------------------------- 4

(c) Do you think that the order was fair to your children?

Yes -------------------------------- 1
No --------------------------------- 2
Not applicable --------------------- 3
Don't know ------------------------- 4

34. (d) Do you think that the order was based on your ex-husband's earnings?

Yes ------------------------------ 1
No ------------------------------- 2
Don't know ----------------------- 3

(e) Do you think that the order was based on your need for support?

Yes ------------------------------ 1
No ------------------------------- 2
Don't know ----------------------- 3

(f) Have you approached any agency to have the payments increased or decreased?

Yes (Supreme Court) -------------- 1
Yes (Family Court) --------------- 2
No ------------------------------- 3

(g) IF YES: Do you feel that the agency helped you?

Yes ------------------------------ 1
No ------------------------------- 2

35. How many months in the past year has your ex-husband paid his maintenance order?

12 months -------------------- 1
10 to 11 months -------------- 2
8 or 9 months ---------------- 3
6 or 8 months ---------------- 4
3 to 5 months ------------------ 5
1 to 2 months ------------------ 6
Haven't paid ------------------- 7

36. How much of the maintenance order does he pay?

Always pay the full amount -- 1
Usually pay the full amount --------------------------------------- 2
Usually pay most (over three-quarters) of the amount -------------- 3
Usually pay between half and three-quarters of the amount --------- 4
Usually pay something but less than half of the amount ------------ 5
No payments --- 6

37. How regularly does he pay?

Always by the date prescribed ------------- 1
Usually by the date prescribed ------------ 2
Usually within a week --------------------- 3
Usually more than a week late ------------- 4
No payments ------------------------------- 5

☐☐

45. How do you feel about your ex-husband's marriage/relationship?

Good ------------------------------ 1
Bad ------------------------------- 2
Indifferent ----------------------- 3
Don't know ------------------------ 4

46. Do you now have a permanent relationship with another person?

Yes (married) ----------------------------- 1
Yes (unmarried but living together) -------- 2
No --- 3

IF YOU DO NOT HAVE A PERMANENT RELATIONSHIP,
GO TO QUESTION 51.

47. When did the relationship begin? __________ month __________ year

48. Do you have any children from this relationship?

Yes -------------------------------- 1
No --------------------------------- 2

(a) IF YES: How many? (specify) ______________

49. Are you supporting any children from your partner's previous relationship?

Yes -------------------------------- 1
No --------------------------------- 2

(a) IF YES: How many? (specify) ______________

50. What is your partner's major source of income?

Earnings from self-employment -------------- 1
Wages/salary ------------------------------- 2
Investments -------------------------------- 3
Unemployment Insurance --------------------- 4
Social assistance -------------------------- 5
Other (specify) ____________________ ----- 6

51. What do you estimate your partner's income to be in 1979?

No income -------------------- 1
Up to $5,000 ----------------- 2
$5,001 to $10,000 ------------ 3
$10,001 to $15,000 ----------- 4
$15,001 to $20,000 ----------- 5
$20,001 to $25,000 ------------------ 6
$25,001 to $30,000 ------------------ 7
Over $30,000 ------------------------ 8
Don't know -------------------------- 9

IF YOUR MAINTENANCE ORDER HAS ALWAYS BEEN PAID IN FULL AND ON TIME, GO TO QUESTION 57.

52. Have you ever tried to take your ex-husband to court for not paying his maintenance order?

Yes ------------------------------ 1
No -------------------------------- 2

(a) IF NO: Why not?

I don't know where he lives ------------------------ 1
He has not missed enough payments ------------------ 2
I don't know how to go about it -------------------- 3
Too much trouble ----------------------------------- 4
The court will never be able to get him to pay ------ 5
Other (specify) ______________________________ ----- 6
Don't know -- 7

(b) IF YOU HAVE TRIED: Did your ex-husband actually appear in court?

Yes ------------------------------ 1
No -------------------------------- 2
Don't know ----------------------- 3

(c) IF HE DID APPEAR: Did he begin to pay his maintenance order?

Yes ------------------------------ 1
No -------------------------------- 2

53. Has he continued to pay his maintenance order?

Yes ------------------------------ 1
No -------------------------------- 2

54. Would you be willing to force your ex-husband to pay by having the maintenance order deducted directly from his wages/salary?

Yes ------------------------------ 1
No -------------------------------- 2

55. Would you be willing to have your ex-husband jailed for not paying his maintenance order?

Yes ------------------------------ 1
No -------------------------------- 2

56. What do you think is the main reason for your ex-husband's not paying his maintenance order in full or on time?

GO TO QUESTION 58.

57. What do you think is the main reason for your ex-husband's paying his maintenance order regularly?

58. If you have anything further you would like to bring to our attention, please write it in the space provided.

THANK YOU VERY MUCH FOR YOUR HELP!

APPENDIX "H"

1.0 GENERAL COMMENTS

At the end of the questionnaire, respondents were asked to add any general comments that they wished to make. They have not been categorized as many of them are long and deal with a number of issues. Collectively they provide a good insight into the thoughts, opinions and experiences of women who are receiving or should receive maintenance orders.

In order for a woman to take her husband to court, in the case of default on maintenance payment expecially where the woman is dependent on these payments to a large extent, legal costs tend to be prohibitive. Especially where the amount involved in the default is small. Extra costs incurred in normal living can be difficult when the husband and wife are not on good terms for special things which are important to the children's development.

All answers pertain to when ex-husband was alive. All is now taken care of by estate left to my children.

If the court says he doesn't have to pay his maintenance order, I do not want him to see my daughter.

I wish the child did not have to see the other parent, he should have a choice.

I do not feel most women are aware of their rights in a separation and consequently they and their children suffer a much lower standard of living than they should. I also feel the laws are sorely lacking the ability to deal with husbands who are delinquent in their payments.

When the court order was set down I had the two children. He has never made one payment which was to have been $50.00 per child. As of August 1979 he has the oldest child living with him.

Question 41 cannot be answered with a yes or no - we are joint owners of the family home where I and the children are residing.

Maintenance was paid for a period of three years. The final year I agreed to resolving our agreement if my husband would allow the children to be adopted by my fiancé after we were married. He agreed and the children were adopted in 1978 (May).

APPENDIX H, CONT.

I don't feel adequate weight was given to our financial situation on a day to day basis when the support payments were agreed upon but that is the amount he was willing to pay, could do so with relative ease and also sign the house (debt) over to me. I am unable to assume the second mortgage in my name alone because my income is too low to qualify in spite of the fact I have been paying it since my husband left. I am angry with and frustrated by an economic system which allows a person to work full time and make less than enough to maintain a family. I am working in a position which pays less than the one for which I was initially trained, but this job allows me to be accessible and available to my children and does not carry an undue amount of responsibility which would not allow me to carry my home responsibility as readily. I have approached the Social Services, Alberta Housing Corporation for additional support as a supplement and have been refused. It is frightening and frustrating to be part of the working poor. My children and I feel we have been relegated to the status of 10th class citizens while their Dad's standard of living and lifestyle has improved. Our house is 30 years old and furnishings are in need of repair (or replacement) which we are unable to provide. I don't know the answers but I certainly do see the inequities and have altered my perspective.

I feel it would be a good idea to have a general public assembly for people in my position where our opinions and problems can be expressed to the proper agencies. Lawyers, etc. could advise and counsel.

When I sued for divorce I did not request any support or alimony. The lawyer advised me to at least sue for $50.00 per child because he said if I didn't now my chance of ever getting anything would be minimal. The court reserved my right to alimony since I was on assistance at the time, and in case my future marriage didn't occur, I would be able to fall back on the alimony. The reason why my income is so low is I am currently separated from my second husband and boarding at my Mom's.

Voluntary payments are not regular, I will apply to the court for a maintenance order.

Provision for payment of 1/2 dental, orthopedic services, etc. are impossible to collect.

His income over $20,000. My income approx. $15,000. He pays $200.00 a month, no responsibility. Pretty cheap for maintenance on his daughter. I can't answer questions about whether he will pay or not, but if he shouldn't with the technicalities involved, I wouldn't even be bothered to try and get the money.

I would like to say that the courts are far too easy on ex-husbands when it comes to maintenance orders. There really should be something done about pointing out that these men should be made somehow to make these maintenance payments, especially if they don't at all make an effort to try to make some payments. Many times the fight for maintenance goes on and on and seems to hit a brick wall. Going to court over and over gets to be pretty tiresome when nothing gets accomplished.

I have a lot to say but I don't think you would want my opinion. But I will say $160.00 per month for 4 kids just will not do, because I can't provide for them on my own without help from social assistance and $160.00 per month just isn't enough help from someone who is partly responsible for them being here.

Although a woman needs child support, she is often penalized through taxation because it often puts her into a different income tax bracket so one wonders if it is really to one's benefit to receive it. It should not be classified as income. It should be for the sole purpose of the children and their care.

We have not been in contact with my ex-husband for five years or more. My children are all self-supporting now so much of the information is irrelevant to my situation.

Alimony should be given when the one who has the children, but if the one who has the children is making enough to support them completely, then I think they should support with no alimony.

I feel the cost of raising children is awfully high and of course the monthly child support is not always enough to meet these needs. With the rising prices of food, clothing, etc. it should be a must that the amount of the child support go up accordingly without myself having to approach a lawyer and go through all the proceedings to have your allowance raised.

Reasonably unsatisfied with the arrangement.

I married a second time in 1974. This ended in divorce in 1977. There were no children from this marriage. I am not receiving any financial support from him. For the purpose of this questionnaire, I have not included the second marriage. It seems very unfair to have to list money received as child support as income and get taxed on it while the person giving it gets a tax break. This is better now than it was five years ago, due to equivalent to married exemption being increased.

He only pays support for one child. The other is 4 months old and that case has not been taken to court.

Most women are not aggressive enough and don't want to appear nasty. Consequently, they all get screwed.

I've known him since he was 13 and I was 12. He only went to her because of sex, but I don't think he really loves her. He knows that I'd never hurt him, that is why we don't divorce. He raised me from $500 to $600 to $700 to $800. He knows his own shame but he would never let me down, I have muscle deterioration in my legs and they don't work.

I took my ex-husband to court in the fall of 1978 as payments were only $100 per month and my partner was living elsewhere with his children. It took me six months and a painful "examination of discovery". Also, he perjured himself and I felt impelled to prove it.

I have not been to court for the divorce as of yet but I had a lot of trouble and 6 months of waiting before I at least got interim maintenance for the children. Although I have the grounds for divorce, it took a great deal of time and I had to settle for only maintenance payments for the children although I am entitled to maintenance payments for myself also. I am concerned that I will not receive the child support payments after the divorce is final and I have been advised by my lawyer that the payments will undoubtedly stop after one year and I have also been advised it costs a great deal to force such payments after they have stopped.

In a fortunate position of holding a well paying job and making out well.

I feel that page 9 is impossible for me to answer as I always get my money but never know when. I also feel the questionnaire is ambiguous in a lot of places.

As far as maintaining the standard of living that I am used to I now realize that I am going to have a difficult time.

Survey is a good idea, but I really have not had too many problems. I am mainly satisfied with the arrangement worked out between my ex-husband and I.

My ex-husband is great with having payments on time but avoids all contact with his boys.

I feel that the results of my divorce were unsatisfactory due to the negligence and lack of communication on the part of my lawyer. It is unfortunate that "little" people like myself who are not fully aware of legal procedures etc. have to suffer in the long run. I try to provide a good home for my children but with what I earn and receive from my ex - it is a little tough. The only way I can receive more money from him is to have the divorce decree changed, and I can't be bothered to go through all that hassle again. So I am stuck!

I think a law should be passed which makes a man sign an agreement to not have any more children in other marriages if he cannot support children from the first. He should be then made by the judge to have a vasectomy so he can't have any more children whom social services have to support.

The only problems I encountered regarding maintenance being withheld were a result of him trying to punish me for one reason or another. This occurred primarily in the first year of our divorce and my lawyer would threaten court action.

I have a retarded daughter at home. My husband refuses to provide any support as he can't afford it on his take home pay of $25,000. a year. His way of life is one big party and he has seldom visited with his children, no Xmas or birthday gifts, etc. No help putting our son through exchange school but was able to own 5 racehorses drive a Chrysler car and is well dressed. We have just had a "Discovery Hearing". My husband was finally served a summons as he failed to show up at many other court hearings. Something needs to be done regarding the legal system as I have been trying for 6 years to enforce the court order for support payment which has made me ill.

At the time of our divorce, my ex was serving time in jail. Because of this maintenance was set at $1.00 per year. He has made it clear that as long as I have a relationship with someone else he won't pay support. Because I am living common-law I refuse to have my partner pay for any expense to look into maintenance payments. Also I was told by a lawyer that I couldn't ask for child support because I am living common law. I feel that is very unfair.

The only thing that really bothers me is how he takes everything out on the kids. I think the courts should specify some sort of counselling for the parents. The kids are only 8 and 6 and sometimes it is a real burden for them. My ex-husband tells the kids it is my fault and I am taking all his money.

I think the courts should be more strict, with husbands who fail to pay. My husband is $2200. behind and we keep going to court about once a month and nothing is done.

I don't think it is fair that the husband just takes off and has no responsibility. I went to Family Court and they can't do anything until I find an address on him. I think that husbands should pay for some of the things that kids need. I think the law is not right. I should get support payments.

Harassment from ex-husband and his wife. Ex-in-law's rights to see children.

Although it is not possible for the court to force my ex-husband to maintain his responsibilities toward his children (everytime we get close to court re: maintenance, he loses his job) the court is still quite able to see to it that he can take the children away twice a month and enjoy their company. These two issues are very close together and should not be dealt with separately by the court. My ex-husband and I jointly share a large commercial investment (this was backed by my father to get us started) he has managed to team up with a small third partner to take over the company and exclude me from any and all knowledge thereof. Additionally, since my personal net worth takes into consideration ownership of these shares, which are totally out of my reach and controlled by my ex-husband, I am not even able to obtain Social Assistance to alleviate this two year long financial crisis. In summary, my situation is this: what maintenance payments are made are not on time, and far too low. Any attempt on my part to collect the maintenance arrears results in my ex-husband simply becoming unemployed and I then receive no maintenance payments at all. My ex-husband could become employed again, but short of hiring a private detective to determine this, I have no way of finding out when this occurs. I would additionally note that my ex-husband's visiting rights make my life and our family life a "display window" to my ex-husband, yet I have no knowledge at all of his activities other than that accidently revealed from time to time. Eg. he has a girlfriend, possibly is living with her. Says he has no money at all, and can't make ends meet, but wears expensive new clothing constantly, drives a fancy luxury car of his own in addition to a brand new company car when working.

I have been told by both lawyers I have had to represent myself that the court will allow only a maximum of $100 per child. Although in my case it was settled out of court, I received $150 for my child (with a lot of hassle from my husband). 95% of the time the woman is awarded custody of the child or children and I strongly believe that the maximum payment ordered by a judge as above is absolutely unfair. For example, as in my case my husband's take home pay is twice as much as mine plus he is by no means heavily in debt although I refused to go out and work myself but my daughter is also my husband's responsibility and I feel fathers are let off too easily. My husband has only himself to be responsible for. I have a dependent,besides rent and groceries then are clothes, daycare, babysitters, and especially entertainment for my little girl. My husband has generous access to our child which is a vital concern to children but he has also refused to help in cost other than maintenance should anything ever arise. So I feel very strongly that if a man's income is very good he should be made to stand up to his responsibilities and pay a proper and fair amount for his child.

See you have a homestead for sale. But I will not sign. Because he is cheating on the money, I would like half but he is not for it. So if he does agree then he will be paid up on his maintenance, from July in 1979 and 6 months in 1980. But if this keeps I will put him in jail for a while so he can't say I am stupid about it.

I do think the government should go after those men who do not keep up with their payments every month. This is the second time I have been separated from my husband. The first time was in Saskatchewan and I had two young children to look after. He did not support them and I had the responsibility of keeping them and he took off out of the province. We got back together but the same old problems arose. It was women in my case, but I had no money from him hardly at all in the two years we were apart. It is unfair on the mother having all the headaches wondering where the next few dollars are coming from. Stronger laws should be made for support and for collecting.

We are going to court under the new Matrimonial Property Act.

It has been a pretty tough road, but we are better off now, thank goodness.

The costs of maintaining all my orders have been heavy and I have gained nothing at all. My custody and maintenance orders both are the two orders he has taken advantage of. Because of the two provinces and distance, my ex-husband has made use of his spite and I have paid the bills. My first maintenance payment came 4 months late because the court asked him to pay the $300 for our divorce so he stalled my payments to equal the amount. He helped my son run away supplying him money and plane ticket and then hid him for 3 days only for me to find out at the age my son was (13) I could do nothing if the boy wanted to be with his father. When the children visited him for 2 weeks in the summer he kept them for 2 months and his mother and father looked after them and he visited when he felt like it. So I have had to since chosen the last 2 weeks in the summer. So my gaining custody or maintenance orders have only meant grief and heavy costs to me. There is a terrible lack of information that can only be gained by paying a heavy cost to a lawyer that should be available to any individual that can use it.

He is plenty depressed about the way he has treated us, but that is his problem. We are doing just fine without him, don't want his crummy money.

It is not fair for a man to only pay $50 a month for the children.

Maintenance order is for CHILD support only, NOT for my maintenance

In my case I can't complain as my situation turned out pretty good. The first six years he completely refused child support then things were straightened out in court and that is the reason the oldest never received child support as he turned 18 before my divorce. I never received alimony but received property settlements.

Last year my husband paid me only $1800 in 6 months so, desparate, I took the children to live with him. The court was so slow about ordering payments, we had absolutely no money at all. He has since paid me no money and I am proceeding in a dragged divorce case (2 years) in which I hope to regain custody and some reasonable money settlement.

I had to pay off all of his debts. I couldn't live on $75.00 a month for alimony. I supported his son from his first wife.

Can't see any good in Family Court. When I go I get less money, I am the one with the children not him.

I don't feel husbands should have visiting rights without paying their support payments.

I think the fathers should be forced to pay because like my husband, he could be making good money and have enough for himself and for us, but as things are now he works for a while and loafs around the rest.

I have been divorced twice, both times I footed the bill because the courts were unable or unwilling to go after court costs which I had been awarded. I never received support payments regularly, nor did I when I was on welfare 74 mid 75 (they did nothing to enforce regular payments). The constant bickering and hassling over support that was justifiably my right was not worth the mental torment so I went back to court in 1977 (May) for a cash settlement which I was awarded and which was finally paid by putting a lien on his property. Note: Courts do not like to "deal away maintenance rights of children" but due to my medical condition and financial position (kidney transplant and going to University) they did so. Also, I could always re-apply for maintenance but would not do so because I value my freedom.

The time has come when childrens' rights must be protected. Both parents' circumstances must be considered and a far fairer share of monetary support must be provided. A child, if both or either parent is financially able, should be allowed to realize his/her educational ambitions and or abilities. And last, but certainly not least, any person not meeting a financial court order should automatically be faced with an indictable offence that would be proceeded with immediately on behalf of the child by the child's own counseller. To date, under the present child support conditions, the child is shortchanged. When divorce occurs, the marriage ends, not each parents' obligation to the child. And why must children pay such a high price?

He gives 2 times a year lump sum. Would sooner need it each month to help with the utilities. Taxes should be paid by him. Alberta Health Care, today my bill is $205.95 not paid. He averaged $200,000 income in 1971. Entitled to more maintenance to today's income. He had signed 99% share to his wife and 1% for himself. Reason for lump sum he doesn't want to be bothered with the small amount I get. To me it would help expenses of upkeep of home. So there is no justice at the Supreme Court.

I feel it is my ex-husbands responsibility to pay for the babysitter (at least) I am paying $315.00 per month for a sitter. If this expense was at least shared it would be a great help. I don't feel my boyfriend should be responsible for my ex-husbands responsibility. He pays bills and food. I am also paying for loan payments for my ex!

My husband stated that when he left the law could not force him to meet his obligations for his family. He has moved many times and changed jobs in order to avoid paying. Unless I find out where he is and where he works the family services can do nothing for me. I would suggest the best method would be to open the income tax and unemployment files in order to assist the families without cost to collect the monies awarded them by the courts. Have the money deducted from their pay direct.

I am given to understand that my ex-husband will have legal access to his child even if he makes no effort to support him. I find this most unjust as it is an emotional, financial and social strain to raise a child and I don't see why he should have the pleasures that come with a child when he is not prepared to take any responsibility. My financial situation is much better now than when I originally was divorced and I will not take him to court again as I don't know where he is currently. Family Court will enforce my maintenance order if I find him. As he is not hassling me, I will willingly forego the $100 for the peace of mind. Had I more than one child I couldn't afford the luxury. I think all of the Provinces should have a legal agreement to enforce maintenance orders within Canada like we do with California and some other states. It is ridiculous that they can change Provinces and get away with it.

When maintenance order was to come into effect, my ex-husband purposely went to his place of employment drunk, was subsequently fired, and stayed unemployed and on unemployment or welfare until he was sure I was not chasing him for money. The courts could do nothing to make him pay under these circumstances and I realized it. Jailing him of course would not have assisted me financially.

I would like to see child support increased but in order to do that I must lose time from work and it is highly unlikely he would pay anyway unless forced to. I don't feel he should have access because it has been detrimental to the children's development. Because of jealously he has warped the children's minds and tried to make my life miserable still. I feel there should be some power behind the law in order to force all or either partners to support their children, especially when they are well able to. I also feel he should be denied access because I have had all the problems and he tries to reap the gravy.

I have a lot to say, but will it do any good. I am tired of fighting and being harassed and striked out. Just now I have lost my job at the Post Office processing plant, railroaded is the word, I have worked for 10 years at two jobs to support my five children in a decent way and stay off of welfare. I am no criminal, have been decent and honest and all I have received is dirt and rumors. I am very sick of this social structure and tired. Maybe welfare is the answer.

Income tax laws regarding child support, maintenance are stupid and outdated. If a husband pays alimony on moral grounds he should be able to deduct it (my new husband paid for 12 years but couldn't deduct it as the lawyer didn't put it in the divorce). The father of the child here should support him and I should not have to pay income tax. He will be staying with his brother but his father won't pay unless I pay the tax on it. The income tax agrees!

I attempted to enforce the maintenance through Family Court one and a half years ago here in Alberta. This is possible with the reciprocal laws between California and Alberta in regards to maintenance orders. Nothing has been done, this man now owes me over $12,000 in back support. I am told even if he was ordered to pay I would be lucky to receive the last five years worth. Unable to afford legal counsel either in 1970 or now in 1980 it is unlikely I'll ever receive anything. Very depressing as the man owns two houses sports cars and a boat and dangles it all in front of his children, what happened to justice for all?

Actually in my opinion I feel that these maintenance orders are a farce. The court may say a specific amount but most mothers never receive any. There should be firmer laws regarding this matter. The fathers just walk out scott free with no obligations whatsoever. Plus most mothers are unfit to face all the creditors re: debts. They seem to feel I guess the mother is easier to nab.

I have answered all these questions as though they related to my life before I remarried and my husband adopted my children.

I don't need the maintenance, but why do they take the trouble to make a Supreme Court order and not enforce it. I feel very sorry for these young women with a couple of children who cannot collect their maintenance.

It is my personal opinion that the court has entirely too much say in payment amounts. I feel that it should be totally up to the petitioner and respondent in a divorce action as to whether maintenance payments be made.

The house I own is still in both my husband's and my names. The papers are signed at the lawyers office but it cannot be transferred to me. This is because of a lien of my husband's for a debt incurred before our marriage. This condo had one payment made on it at the time of separation. We each had a child previous to our marriage and one of our marriage. He is living in the same apartment we used to live in; and Darlene has two sons. So his situation is the same as during our marriage. Except that now he receives a pension from the Canadian Army. This would cover his child support. In the matter of jailing for non-payment I would have to take my step-son into consideration. My income is about $800 a month. It costs $400 a month for a roof over our heads and utilities. A car payment of $120. plus groceries and child care. This is a bit below welfare standards. This I know because I was on social assistance for partial income because of health until Dec. 79. And yet I am above the income for legal aid or guidance. Social services took my husband to court once with no results. I cannot afford to when I know maintenance still won't be paid.

In my opinion there does not seem to be enough support from the agencies in the Family Court for people who are having difficulty collecting maintenance. Especially when my ex-husband has only himself to support and is making three times as much as I am. The court only seems to take action when the woman is in danger of having to receive government support.

I am not sure what standard maintenance is presently in Alberta but it should be $75.00 to $100.00 per child. I was much too lenient. I even transferred my interest in our home to him because he was in financial difficulty. There should be more garnishees against salary.

Fortunately I now no longer need the maintenance. Initally, supporting a child who had food allergies on $300 net/month was very difficult, and every penny of the $50 was needed. Receiving it 6 weeks to 3 months late did not help. There should be readily available help to other mothers in the same predicament.

It is too bad men can't read this. Every man can father a child, but not every man can be a father. They might think a bit.

People who separated or divorced should pay their own way just as if they were alone because 3/4 never stay alone. They either get remarried or go and live with someone and the wheel keeps going on. The ex pays the wife and the wife's new husband pays his ex-wife and so on and so on. Try to make it when you have to support two families. Because the ex-husband never pays his part and your husband has a steady job so he has to pay.

Maintenance should rise with the age of the children. I would like an increase however legal fees frighten me. I now receive $75.00 per month for a 14 year old girl. Her braces alone were $1875. I pay $50. per month to the dentist. $4. bus pass, medical insurance, school fees etc. make $75.00 per month look a little ill.

I am thankful that I was able to bring in a wage that was better than the average woman's. I dread ever thinking what life would have been like for my children had I not been a R.N. The laws for women who are deserted not only by their husbands but by humanity and society are deplorable to say the least. Only their love for their offspring somehow manages to pull them through with next to nothing for food, clothing, and shelter. Where is justice?

I feel the courts should be more stern and they should be the same with everyone that has to pay support. Others pay through the nose if they miss one payment they are threatened jail, while other men will hardly pay anything, and the courts will issue no threats or anything against them.

I feel the laws regarding maintenance orders must be changed. My husband is in a supervisory position and makes more than enough income to help support his daughter. $25.00 a month is not enough for a teenager. I feel that after a certain age, 10 or 11, it should automatically go up. But that should be set up in the original maintenance order. My maintenance order was set up in Supreme Court, but I had to deal with Family Court when he refused to pay. All they told me was that he had to be behind at least 3 months before they will do anything. All they would do is send him a letter. That doesn't help much because they do not make him pay the back payments he has missed. Thank you for letting me express my opinion.

I feel persons on welfare should get at least half maintenance order so it could be used for the children like it was meant to be.

I feel the law structure is set up very poorly. When the support payments are late or don't show up at all it is hard to raise two children. If I want to do something about them being late I have to hire a lawyer. On my wages I don't have two or three hundred dollars kicking around to take him to court. If I did I still wouldn't have any guarantee he would pay on a regular basis.

It was very hard to obtain some maintenance the first 5 months, somewhat like catch 22. My ex-husband makes a lot of money therefore any assistance there is is not available to me - for they just go to him for support - but that meant putting a hold on his wages and that his employers would not stand for (too much P.R. involved) and he would have been fired - it was a see-saw back and forth until HE decided HE wanted to pay. So I can see if a spouse is not co-operative in any way it may be almost impossible to obtain support.

SURVEY OF MEN INVOLVED
WITH MAINTENANCE ORDERS

TECHNICAL REPORT

1.3 Interviewing Procedures

Before visiting a household, interviewers were instructed to leave a letter which explained the purpose of the survey and asked the respondent's co-operation. (A copy of this letter is included in Appendix A of the Survey of Women.) When the door was answered, the interviewer would introduce him or herself in the following manner:

> "Hello, my name is _______. I am helping out with a survey for the Institute of Law Research and Reform on the payment of maintenance orders. You should have received a letter a couple of days ago telling you about the survey. (The interviewer would then hand the respondent another copy of the letter). We would like to know if there is anyone living here who is either paying on, or receiving payment from, a maintenance order."

If the respondent said "no", the interviewer marked this down on the "Interview Sample Sheet" (see Appendix B of the Survey of Women), thanked the respondent and proceeded to visit the next household, but one.

If the respondent said "yes", the interviewer would go on to ask to speak to the person in question. The interviewer would then explain:

> "I would like you to complete this questionnaire. If you wish to have me ask you the questions, I would be happy to do so. If you would like to complete it yourself in private, I will leave it with you and pick it up later. In any case, your answers to the questions will remain completely confidential and your name and address will not appear on the questionnaire."

In almost all cases, the respondents preferred to complete the questionnaire themselves.

1.4 Quality of the Sample

As has been stated, the resulting sample is not a random sample: the very high rate of refusal together with the change in the sampling design precluded any assumptions of randomness. Nonetheless, there remained the possibility of obtaining a representative cross-section of men providing that the biases implicit in the rate of refusal were not too severe. Fortunately, the women's survey was probably a random sample and as such provides an opportunity of estimating the degree and direction of bias in the men's sample. This is done in Section 2 of the report.

1.5 Presentation of Results

The results of the Calgary and Edmonton samples have been presented together. Given the nature of the sampling procedure and its lack of randomness a comparison of the Edmonton and Calgary samples was considered to be of limited utility and to be statistically questionable.

SURVEY OF MEN INVOLVED WITH MAINTENANCE ORDERS

TECHNICAL REPORT

1. INTRODUCTION

1.1 Aims of Study

There were three major aims of the study:

a. to discover the incidence of payment and non-payment of maintenance orders;

b. to outline the problems and experience of men in paying maintenance orders;

c. to gain insight into the reasons for payment and non-payment.

1.2 Sampling Design

In the first instance the survey of men was done in conjunction with the survey of women. A random cluster sampling technique was used. The clusters were based upon municipal electoral polls in Edmonton and Calgary. The clusters were sampled using a table of random numbers. Interviewers were instructed to sample every second household within their cluster. The decision as to whether to sample the first or second household in a particular block was made by tossing a coin. In Edmonton, a total of 20 electoral polls were involved in the study; 22 polls in Calgary were sampled.

A two call-back procedure was employed. If a potential respondent was not at home at the time of the first visit, the interviewer would call back at least twice before the potential respondent would be written off as unlocatable.

While this procedure appeared to work quite well for women respondents, the refusal rate was much higher for men. In theory, the proportion of households with men paying maintenance orders should be about equal to the proportion with women receiving maintenance. However, by May 30, twice the number of questionnaires for women had been collected as for men.

In addition to this, over the life of the entire survey, about 500 men had been, in fact, located, however, only 268 questionnaires were completed. In these cases the men initially agreed to complete the questionnaire only to refuse later when the interviewers called back to pick it up.

The high rate of non-co-operation among the men precluded the possibility of obtaining a random sample. In addition, the time taken to do the survey was putting severe pressure on the deadline for completing the study. As a result of these two circumstances it was recommended by the researchers, and agreed to by the Steering Committee, that the sampling procedure be changed. After May 31, interviewers were instructed to visit every household in an area and not to use call-backs.

2.0 REPRESENTATIVENESS OF THE SAMPLE

In order to determine the representativeness of the sample, the results have been compared to the sample of women along certain variables which afford comparison. As the Women's Survey followed strict random sampling techniques and the rate of refusal was much smaller, the sample of women provides a better representation of the population. The reader should note that comparison with the survey of women are not conclusive: the differences between the two samples may be explained by factors other than biases in the sample.

2.1 Origin of Order

Table 1
Comparison between Men's and Women's Survey on the Origin of the Order

ORIGIN OF ORDER	MENS SURVEY %	WOMENS SURVEY %
Alberta	77.1	89.0
Other Province	22.1	9.4
Outside Canada	0.8	1.6
	(n=240)	(n=181)
	$Chi^2 = 12.4$, $.01 > p$	

The survey of men included a disproportionate number of people who said that their maintenance order originated outside of the province as compared to the survey of women.

2.2 Source of Order

Table 1.2
Comparison between Men's and Women's Survey on the Source of Order

SOURCE OF ORDER	MENS SURVEY %	WOMENS SURVEY %
Family Court	44.5	28.0
Supreme Court	22.4	45.6
Voluntary	30.4	21.2
Don't know	2.7	5.2
	(n=263)	(n=193
	$Chi^2 = 32.8$, $.01 > p$	

2.3 Status of Marriage

Table 1.3
Comparison between Men's and Women's Surveys
of Status of Marriage

STATUS OF MARRIAGE	MENS SURVEY %	WOMENS SURVEY %
Divorced Separated Formally separated	65.5 24.5 10.0	77.9 14.9 7.2
	(n=261)	(n=195)
	Chi^2 = 8.5, .05 > p.	

The sample of men appeared to be slightly over-represented in the category of separated and, correspondingly, under-represented in the divorced category. This distribution may be reflective of the heavy bias towards maintenance orders originating from Family Court.

2.4 Year Married

Table 1.4
Comparison between Men's and Women's Surveys
on Year of Marriage

YEAR OF MARRIAGE	MENS SURVEY %	WOMENS SURVEY %
Before 1939	2.3	0.5
1940 - 1949	4.7	6.3
1950 - 1959	11.6	17.2
1960 - 1969	30.6	40.3
1970 - 1974	30.6	29.3
After 1974	20.2	6.3
	(n=258)	(n=191)
	Chi^2 = 20.7, .01 > p.	

The samples were fairly evenly matched except for a serious over-representation of men who reported having married after 1974.

2.5 Year Divorced

Table 1.5
Comparison of Men's and Women's Survey
on the of the Divorce

YEAR OF DIVORCE	MENS SURVEY %	WOMENS SURVEY %
Before 1939	0.4	0.6
1940 - 1949	--	--
1950 - 1959	0.8	--
1960 - 1969	6.2	4.6
1970 - 1974	18.9	28.8
1975 or later	73.7	66.0
	(n=243)	(n=153)
	$\text{Chi}^2 = 5.4$, $.10 > p$.	

Again, the men's sample was slightly over-represented in recent separations or divorces. However, the difference between the two samples was not statistically significant.

2.6 Payment Status

Table 1.6
Comparison between Men's and Women's
Survey on Payment Status

PAYMENT STATUS *	MENS SURVEY %	WOMENS SURVEY %
Excellent	51.5	32.9
Fair	15.3	14.2
Poor	21.0	23.6
Non-payers	12.2	29.4
	(n=262)	(n=191)
	$\text{Chi}^2 = 25.8$, $.01 > p$.	

Payment status is the most crucial dependent variable in the study. As can be seen in Table 1.6, the proportions of excellent payers and non-payers found in the survey of men were quite different than the survey of women. It may be that one or both sets of respondents were not telling the truth. However, the more likely explanation is that the refusal rate among men who did not pay was disproportionately high.

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* See Section 9.0 , page 282 for a description of how this variable was created.

2.7 Conclusions Concerning the Representativeness of the Sample

The very high rate of refusal experienced in the survey of men had its effect on the sample. A disproportionate number of men who claimed to pay their maintenance orders regularly was encountered. In addition, the men's sample was over-represented among cases originating from Court. Also, the sample of men included a significantly greater number of recent separations and divorces and more separations than the sample of women.

This evidence strongly indicates that the proportions contained in the sample should not be used to estimate population parameters. Although, for example, the numbers of men indicating they were non-payers were under-represented, this does not mean that the sample of non-payers is unrepresentative of the population of non-payers. In this sense, meaningful comparisons among groups within the sample can be made and will be able to throw light upon the reasons for payment and non-payment of maintenance orders.

3.0 DEMOGRAPHIC CHARACTERISTICS OF THE SAMPLE

Respondents were asked to give information concerning the following characteristics: age, education, present employment status, the type of job, percentage of time employed since the time of divorce or separation, the source of income, and the length of time they have lived in Alberta. In addition, they were asked to specify the number of dependent children , (expressed as the number of children claimed for the purposes) and the number of dependents other than children. The results are given in Table 2.

It should be noted that the percentages have been calculated from bases that exclude missing cases and cases which were not applicable. However, the proportion of cases which fell under these two categories are noted at the bottom of each table.

Table 2

2.1	Age	(n=257)
	21 - 25 years	10.1
	26 - 30 years	24.1
	31 - 35 years	25.7
	36 - 40 years	14.0
	41 - 50 years	15.6
	Over 50 years	10.5
	No information	4.1
2.2	LEVEL OF EDUCATION	(n=267)
	Grade 7 or less	3.7
	Grade 8 or 9	12.4
	Grade 10 or 11	26.6
	High School Graduate	24.4
	College Certificate/Diploma	9.4
	Some University	10.9
	B.A.	4.5
	Professional Degree, M.A. or Ph.D.	8.2
	No information	0.4
2.3	EMPLOYMENT STATUS	(n=264)
	Self-employed	17.4
	Employed full-time	66.7
	Employed part-time	1.9
	Employed in a seasonal occupation	4.2
	Full-time student	3.0
	Unemployed	4.2
	Other	2.7
	No information	1.5

Table 2 , cont.

2.4 PERCENTAGE OF TIME EMPLOYED SINCE DIVORCE	(n=264)
100% of the time	61.0
75 - 99% of the time	20.5
50 - 74% of the time	10.2
25 - 49% of the time	6.1
1 - 24% of the time	1.9
Haven't been employed	0.4
No information	1.4
2.5 OCCUPATION * (employed respondents only)	(n=234)
Managerial & Administrative	10.1
Professional	10.8
Professional support	6.0
Clerical/sales/service	19.0
Farming	0.4
Foreman, oil & gas, mining	2.6
Manufacturing/construction	3.7
Skilled trades	19.4
Unskilled labor	12.3
Student	3.0
No information	12.7
2.6 MAIN SOURCE OF INCOME	(n=267)
Self-employment	17.6
Wages/Salary	74.9
Investments	0.4
Unemployment Insurance	0.7
Social Assistance	1.5
Other	4.9
No information	0.4
2.7 LENGTH OF TIME RESPONDENT HAS LIVED IN ALBERTA	(n=267)
1 month or less	1.1
2 to 3 months	1.1
3 to 6 months	1.5
6 months to a year	4.5
1 to 3 years	14.2
more than 3 years	77.5
No information	0.4

* The occupational categories used by the Alberta Department of Social Services and Community Health were used.

Table 2, cont.

2.8 NUMBER OF CHILDREN CLAIMED FOR TAX PURPOSES	(n=265)
None	56.7
One	14.6
Two	16.4
Three	8.2
Four	2.2
Five	0.7
No information	1.1
2.9 NUMBER OF OTHER DEPENDENTS CLAIMED FOR TAX PURPOSES	**(n=264)**
None	86.0
One	11.4
Two	1.5
Three	0.8
Four	0.4
No information	1.5

3.1 Age

The median age category of the sample was 31 to 35 years. The mean age was 35.5 (standard deviation: 9.7).

3.2 Level of Education

The median level of education for the sample was grade 10 or grade 11. About a third of the sample (33%) was educated beyond the level of secondary school.

3.3 Employment Status

Two-thirds of the sample (67%) were employed full-time at the time of the study and another 17% were self-employed. About 4% of the sample said they were unemployed.

3.4 Percentage of Time Employed since Divorce

Sixty-one percent of the sample had been employed continuously since the time of divorce/separation, and another 20% had been employed more than three-quarters of the time. Only 8% of the sample had been employed less than half of the time.

3.5 Occupation

The largest occupational group was skilled trades (19%),followed by clerical/sales/service (also 19%). Twelve percent were employed in the unskilled labour category. Twenty-one percent were in the professional/managerial categories.

3.6 Main Source of Income

Three-quarters of the sample reported that their main source of income was wages/salary and another 18% reported income from self-employment. Less than 2% reported social assistance as a main source of income.

3.7 Length of Time Respondents have Lived in Alberta

Over three-quarters (78%) of the respondents reported that they have lived in Alberta for more than three years. Eight percent had lived in the province for less than a year.

3.8 Number of Children Claimed for Tax Purposes

The majority of respondents (57%) reported that they had no dependent children. Sixteen percent reported two dependent children and 15% reported one dependent child. Eleven percent of the respondents reported four or more dependent children.

3.9 Number of other Dependents Claimed for Tax Purposes

Fourteen percent of the sample claimed to support one or more other dependents for tax purposes; most of these reported one dependent.

4.0 Financial Details

Respondents were asked to specify their approximate yearly gross income as well as their net monthly income. To gain some idea of their expenses , they were asked what they had to pay monthly on debts, what they paid for rent or mortgages and whether or not they owned a house.

In order to obtain a rough estimate of the disposable income of the respondents, a new variable was created. This index was based on the social assistance payments the respondent and his new family, if any, would qualify for. As such,social assistance rates were used as a minimal baseline figure from which the relative affluence of the respondent could be calculated.

In practice, the index was created by adding together the net monthly incomes of the respondent and his partner (if any)* and subtracting from this total, the respondent's maintenance order obligation. This total was then divided by the amount the family unit would receive from social assistance on the basis of April 1980 long term rates.

Originally we intended to use the amounts recorded for monthly payments on debt to refine this index further. Unfortunately, the data on debt was not very reliable, as it was evident that some men reported total debt rather than monthly payments.

It should be emphasized that this index is a very rough calculation and that it does not make any provisions for rents in excess of what would be paid in subsidized housing or for the repayment of debt.

In addition,another index was used to estimate how well the respondents could afford to pay their maintenance orders. In this case appropriate social assistance rates were subtracted from total net monthly income and maintenance obligations were expressed as a percentage of this figure.

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* Legally,it is not clear whether in the case of a common-law relationship, the incomes of both the man and woman should be treated as one. However, it is the practice of several government agencies, for example, Workman's Compensation and Social Services and Community Health,do this.

3.1	YEARLY INCOME	(n=261)
	Up to $ 5,000	5.7
	$ 5,001 to $10,000	12.6
	$10,001 to $15,000	17.2
	$15,001 to $20,000	22.2
	$20,001 to $25,000	17.6
	$25,001 to $30,000	11.1
	$Over $30,000	13.4
	No information	2.6
3.2	MONTHLY TAKE-HOME PAY OF RESPONDENT	(n=242)
	Less than $ 500	3.3
	$ 501 to $1,000	31.8
	$1,001 to $1,500	35.5
	$1,501 to $2,000	14.9
	$2,001 to $2,500	8.3
	$2,500 to $3,000	1.7
	$Over $3,000	4.5
	No information	9.7
3.3	MONTHLY PAYMENTS FOR RENT OR MORTGAGE	(n=233)
	Less than $100	1.7
	$101 to $200	15.2
	$201 to $300	26.6
	$301 to $400	22.8
	$401 to $500	19.0
	Over $500	14.8
	No information	11.6
3.4	MONTHLY PAYMENTS TOWARD DEBT	(n=200)
	Less than $100	19.0
	$101 to $200	20.0
	$201 to $300	17.0
	$301 to $400	12.0
	$401 to $500	10.0
	$501 to $600	7.0
	Over $600	15.0
	No information/Not applicable	25.4

3.5	OWN HOME	(n=262)
	Yes	32.4
	No	67.6
3.6	INCOME RELATIVE TO SOCIAL ASSISTANCE	(232)
	Less than current social assistance payments	5.6
	Between 100% and 150% of social assistance payments	7.8
	Between 150% and 200% of social assistance payments	15.9
	Over 200% of social assistance payments	70.7
	No information	13.4
3.7	MAINTENANCE PAYMENT AS A PROPORTION OF TOTAL NET INCOME LESS SOCIAL ASSISTANCE RATES	(229)
	Less than 5%	21.0
	5% to 10%	18.8
	10% to 20%	26.6
	20% to 30%	15.7
	30% to 50%	11.4
	50% to 100%	3.4
	Over 100%	3.1
	No information	14.6

4.1 Yearly Income

The median yearly income category for the sample was $15,001 to $20,000 per year (22%). Roughly equal numbers of respondents (17% and 18% respectively) reported yearly incomes of $10,001 to $15,000 and $20,000 to $25,000.

4.2 Monthly Take-home Pay of Respondents

The median category for net income was $1001 to $1,500 per month (35%). The second category was $501 to $1,000 per month (32%). About 15% of the sample reported monthly net incomes in excess of $2,000. The mean net income for the sample was $1,505 (standard deviation: $1,091).

4.3 Monthly Payments for Rent or Mortgage Payments

The median category for payments for rent or mortgage was $201 to $300 (27%). The second most commonly mentioned category was $301 to $400 per month.

4.4 Monthly Payments for Debt

Thirty-nine percent of the respondents reported monthly payments on debt of less than $200 per month. However these figures may be unreliable as many respondents recorded extremely large amounts which probably reflect total debt rather than monthly payments.

4.5 Own Home

Roughly a third (32%) of the sample owned their own home.

4.6 Income Relative to Social Assistance

Nearly three-quarters of the respondents (71%) had a monthly income which was at least twice the amount of social assistance payments.

4.7 Maintenance Payment as a Proportion of Total Net Income less Social Assistance Rates

In order to obtain some idea of the relative financial hardship caused by payments on maintenance orders,the amount of the maintenance order payment was expressed as a proportion of the total net income of the husband (and his partner, if applicable), less what they would have received from social assistance payments. Two-thirds of the sample (66%) would pay less than 20% of their disposable income,as calculated in this way for their maintenance order. About 18% of the sample would pay more than 30% of their disposable income.

5.0 DETAILS OF MARRIAGE BREAKDOWN

Respondents were asked when they were married, what their marital status was at the time of marriage and the number of children they had. They were also asked for some details concerning their marriage breakdown. These included whether they were divorced or separated, and when they were divorced or separated. From these details we were able to calculate the length of marriage.

Table 4

Details of Marriage Breakdown

4.1	MARITAL STATUS AT THE TIME OF MARRIAGE	(n=262)
	Never married before	88.2
	Divorced	10.7
	Widowed	1.1
	No information	2.2
4.2	WHEN MARRIED	(n=258)
	Before 1939	2.3
	1940 - 1949	4.7
	1950 - 1959	11.6
	1960 - 1969	30.6
	1970 - 1974	30.6
	After 1974	20.2
	No information	3.7
4.3	CHILDREN FROM MARRIAGE	(n=266)
	Yes	89.5
	No	10.5
	No information	0.7
4.4	NUMBER OF CHILDREN FROM MARRIAGE	(n=240)
	One	36.7
	Two	38.8
	Three	14.2
	Four	6.7
	Five or more	3.8

Table 4, cont.

	Not applicable No information	10.4 --
4.5	DIVORCED OR SEPARATED	(n=261)
	Divorced	65.5
	Separated	24.5
	Formally separated	10.0
	No information	2.6
4.6	DIVORCED OR SEPARATED IN ALBERTA	(n=254)
	Alberta	76.4
	Outside Alberta	23.4
	No information	5.2
4.7	YEAR SEPARATED OR DIVORCED	(n=243)
	Before 1939	0.4
	1940 - 1949	--
	1950 - 1959	0.8
	1960 - 1969	6.2
	1970 - 1974	18.9
	1975 or later	73.7
	No information	9.3
4.8	LENGTH OF TIME MARRIED	(n=218)
	1 to 2 years	11.5
	2 to 3 years	8.3
	3 to 5 years	16.5
	5 to 10 years	32.6
	10 years or more	31.2
	No information	18.7
4.9	TIME BETWEEN CEASING TO COHABIT AND DIVORCE	(n=187)
	Less than 6 months	20.9
	6 months to a year	30.5
	1 to 2 years	21.9
	2 to 3 years	9.6
	3 to 5 years	9.1
	5 to 10 years	8.0
	No information	30.2

5.1 Marital Status at the Time of Marriage

Most respondents (88%) had never been married at the time of the marriage in question. Eleven percent were divorced and 10% were widowers.

5.2 When Married

Roughly half of the sample (51%) were married in the past ten years. And most of the rest (42%) were married between 1950 and 1969.

5.3 Children from Marriage

Ninety percent of the sample reported that there had been children from the marriage.

5.4 Number of Children from Marriage

The modal number of children from the marriage was two (39% of the sample). Nearly as many (37%) reported one child. Twenty-two percent of the respondents reported four or more children.

5.5 Divorced or Separated

Roughly two-thirds (66%) of the sample said they were divorced. A quarter of the respondents said they were separated and 10% reported that they were legally separated.

5.6 Divorced or Separated in Alberta

Over three-quarters of the respondents (77%) reported that they had been divorced or separated in Alberta.

5.7 Year Separated or Divorced

Most of the sample (74%) reported that they had been divorced or separated in the past five years. Another 19% said that they had been divorced or separated between 1970 and 1974.

5.8 Length of Time Married

The modal category (33%) for length of time married was five to ten years. However, nearly as many respondents (31%) reported that they had been married for 10 years or more. A small proportion (12%) of the sample said that they had been married for two years or less. The mean length of marriage was 9.2 years (standard deviation: 9.0 years).

5.9 Time between Ceasing to Cohabit and Divorce

The majority of the sample (51%) reported that they were divorced within a year of ceasing to cohabit. Seventeen percent of the respondents said that the time lapse was more than three years. The mean number of months and the date of ceasing to cohabit and divorce was 21.2 (standard deviation: 24.3 months).

6.0 CUSTODY AND ACCESS ARRANGEMENTS

Respondents were asked: to whom was custody of the children awarded, whether access arrangements were specified by the court, whether access was, in fact, allowed and whether access arrangements were considered to be satisfactory. The results are presented in Table 5.

Table 5

Custody and Access Arrangements

5.1	CUSTODY AWARDED TO	(n=235)
	Wife Husband Joint Both Other	85.9 3.9 7.4 1.7 --
	Not applicable * No information	12.7 --
5.2	ACCESS ARRANGEMENTS SPECIFIED BY COURT	(n=229)
	Yes No	53.3 46.7
	Not applicable No information	12.3 2.3
5.3	ACCESS IN FACT ALLOWED	(n=234)
	Yes No	88.0 12.0
	Not applicable No information	12.3 0.4
5.4	ACCESS ARRANGEMENTS SATISFACTORY	(n=233)
	Yes No	71.7 28.3
	Not applicable No information	12.3 0.8

* Includes those with no children and those whose children were of legal age.

6.1 Custody Awarded To

Most (87%) of the respondents said that custody was awarded to the wife. Seven percent said that custody was joint or split, and four percent said that they were awarded custody.

6.2 Access Arrangements Specified by Court

Roughly half of the respondents (53%) said that access arangements were specified by the court.

6.3 Access in Fact Allowed

Eighty-eight percent of the sample said that access was in fact allowed.

6.4 Access Arrangements Satisfactory

Most (72%) of the respondents reported that access arrangements were satisfactory. However, a substantial minority (28%) indicated that they were not satisfied with the access arrangements.

7.0 CHARACTERISTICS OF THE MAINTENANCE ORDER

Respondents were asked whether the order originated in the Supreme Court or Family Court or if it was voluntary. They were asked whether they were represented by a lawyer and whether the order originated in Alberta or outside of the province. If the order was made outside of Alberta, respondents were asked if it was being currently enforced in Alberta.

Table 6

Characteristics of the Maintenance Order

6.1	SOURCE OF MAINTENANCE ORDER	(n=263)
	Family Court	43.7
	Supreme Court	22.0
	Voluntary	29.9
	Don't know	2.6
	No information	1.9
6.2	REPRESENTATION BY LAWYER	(n=201)
	Yes	64.2
	No	35.8
	No information/not applicable	25.0
6.3	ORIGIN OF MAINTENANCE ORDER	(n=240)
	Alberta	77.1
	Other Province	22.1
	Outside Canada	0.8
	No information/not applicable	10.4
6.4	IF ORDER WAS MADE OUTSIDE OF ALBERTA, IS IT CURRENTLY BEING ENFORCED IN ALBERTA?	(n=70)
	Yes	42.9
	No	57.1
	No information/not applicable	73.9

7.1 Source of Maintenance Order

Forty-four percent of the sample said that their order originated in Family Court. The next largest group (30%) reported that their order was voluntary. Twenty-two percent said that their order came from the Supreme Court.

7.2 Representation by a Lawyer

Roughly two-thirds (64%) of the men said that they were represented by a lawyer.

7.3 Origin of Maintenance Order

Three-quarters of the sample (77%) reported that their order was made in Alberta. Almost all of the rest (22%) said that their order was made in another part of Canada.

7.4 Enforcement of Order in Alberta

Respondents who reported that their orders were made outside of Alberta were asked whether the order was currently being enforced in the province. The majority (57%) said no.

8.0 METHOD OF PAYMENT AND OPINIONS CONCERNING PAYMENT

Respondents were asked how the payment was to be made and whether the arrangements were satisfactory or not. They were then asked whether the amount of payment was fair to them, to their ex-wife and to their children. Finally,they were asked for their opinions concerning the basis upon which the order was to be made, and whether they had approached any agencies to have the amount of the order altered.

Table 7

Method of Payment and Opinions Concerning Payment

7.1	METHOD OF PAYMENT	(n=262)
	Direct cheque	36.3
	Deposited in wife's bank account	5.7
	Through Family Court	30.5
	Voluntary payment through Family Court	6.9
	Through social services department	0.8
	Not specified by court	16.0
	Through lawyer	3.7
	No information	2.2
7.2	PAYMENT ARRANGEMENTS SATISFACTORY	(n=260)
	Yes	74.2
	No	25.0
	No information	3.0
7.3	AMOUNT OF MAINTENANCE FAIR TO RESPONDENT	(n=264)
	Yes	64.0
	No	31.8
	Don't know	4.2
	No information	1.5
7.4	AMOUNT OF MAINTENANCE FAIR TO WIFE	(n=262)
	Yes	55.3
	No - too much	24.0
	No - too little	6.1
	Don't know	14.5
	No information	2.2

Table 7, cont.

7.5	AMOUNT OF MAINTENANCE FAIR TO CHILDREN	(n=218)
	Yes No Don't know	66.9 18.3 14.7
	No information/not applicable	18.7
7.6	ORDER BASED ON EX-HUSBAND'S EARNINGS	(n=260)
	Yes No Don't know	41.4 42.2 13.4
	No information	3.0
7.7	ORDER BASED ON WIFE'S NEED	(n=260)
	Yes No Don't know	35.1 49.3 12.7
	No information	3.0
7.8	AGENCY APPROACHED TO HAVE ORDER ALTERED	(n=264)
	Yes, Supreme Court Yes, Family Court Yes, Social Assistance No	2.3 8.3 89.4 --
	No information	1.5
7.9	(IF AN AGENCY HAS BEEN APPROACHED) HAS IT HELPED THE RESPONDENT?	(n=37)
	Yes No	32.4 67.6
	No information/not applicable	86.2

8.1 Method of Payment

The largest group of respondents (36%) reported that they paid or were to pay by direct cheque. A somewhat smaller number (31%) said that they paid through Family Court. The third largest category (16%) was through a lawyer.

8.2 Payment Arrangements Satisfactory

Roughly two-thirds (64%) of the sample said that the arrangments were satisfactory. Thirty-one percent reported that they weren't satisfied with the arrangements. When asked to specify why the arrangements weren't satisfactory, most wrote down reasons that related to their feelings concerning the order itself and not the arrangements for payment. (See Appendix A)

8.3 Amount of Maintenance Fair to Respondent

Nearly two-thirds of the sample thought that the amount of maintenance was fair to them.

8.4 Amount of Maintenance Fair to Ex-wife

Over half (55%) of the sample thought that the amount of maintenance was fair to their ex-wife. Nearly a quarter (24%) of the respondents thought that it was too much, and 6% thought it was too little. A substantial minority (15%) did not know.

8.5 Amount of Maintenance Fair to Children

Two-thirds (67%) of the sample thought that the maintenance payments were fair to their children. Eighteen percent thought that they weren't and 15% reported that they did not know.

8.6 Order Based on Ex-husband's Earnings

Rough equal percentages of respondents thought that the order was and was not based on their earnings (41% and 42% respectively). Thirteen percent did not know.

8.7 Order Based on Wife's Need

Nearly half of the sample (49%) thought that the order was not based on their ex-wife's need as compared to 35%, who thought it was. Again, 13% reported that they didn't know the answer to this question.

8.8 Agency Approached to have the Order Altered

Eleven percent of the respondents reported that they had approached an agency to have their maintenance order altered. Most of these (or 8% of the total sample) reported that they had approached Family Court.

8.9 (If an Agency had been Approached) Had it Helped the Respondent?

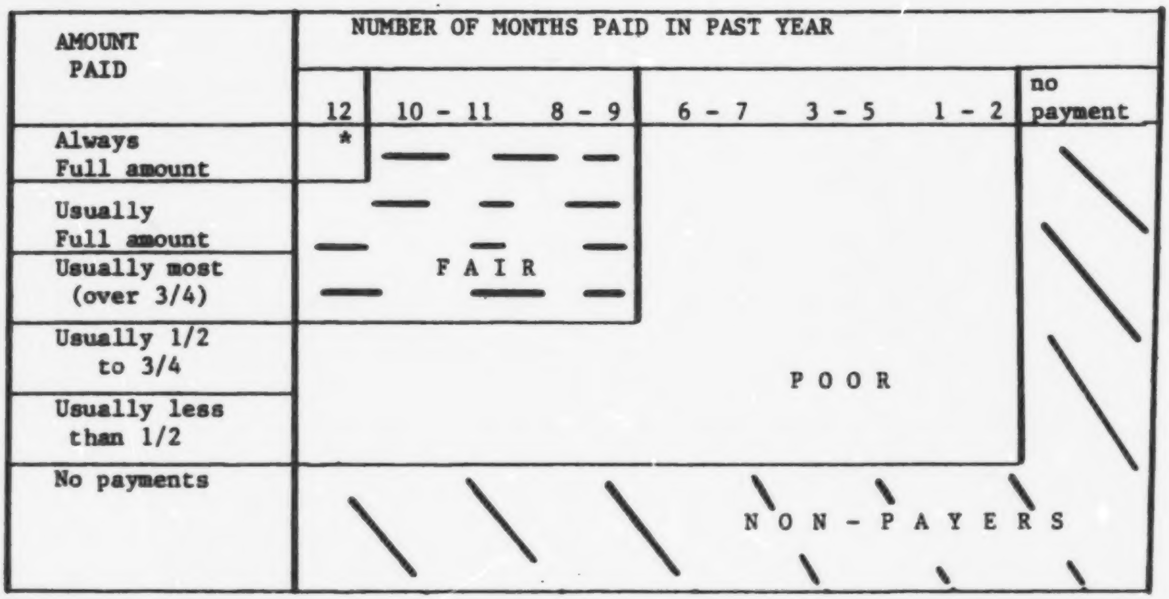
Two-thirds of those who had approached another agency (68%) reported that the agency did not help.

9.0 AMOUNT OF MAINTENANCE ORDER AND REGULARITY OF PAYMENTS

Respondents were asked to indicate the total amount of the monthly payment on their maintenance award, whether they were currently behind in their payments, the number of months in the past year that the payment had been made, the amount that was paid, and the promptness of payment. The answers to the number of months for which payment was made and the amount that was paid were used to create a new variable: payment status.

The new variable of payment status was created by combining the values of the question on the number of months paid in the past year together with the amount paid. This procedure is summarized in the matrix given below which shows how the four payment status categories: excellent, fair, poor and non-payers are derived.

Payment Status Matrix


AMOUNT PAID
NUMBER OF MONTHS PAID IN PAST YEAR
12
10 - 11
8 - 9
6 - 7
3 - 5
1 - 2
no payment
Always Full amount
Usually Full amount
Usually most (over 3/4)
Usually 1/2 to 3/4
Usually less than 1/2
No payments
*
F A I R
P O O R
N O N - P A Y E R S

* EXCELLENT

Table 8

Amount of Maintenance Order and Regularity of Payment

8.1	AMOUNT OF MAINTENANCE ORDER	(n=250)
	$50 or less	10.0
	$51 to $100	25.6
	$101 - $200	39.6
	$201 - $300	14.0
	$301 - $500	6.8
	$500 - $1000	3.6
	Over $1000	0.4
	No information	6.7
8.2	EX-HUSBAND BEHIND ON MAINTENANCE ORDER PAYMENTS	(n=259)
	Yes	29.3
	No	70.7
	No information	3.4
8.3	NUMBER OF MONTHS IN PAST YEAR EX-HUSBAND PAID MAINTENANCE	(n=262)
	12 months	57.6
	10 to 11 months	4.6
	8 to 9 months	5.3
	6 to 7 months	6.9
	3 to 5 months	9.2
	1 to 2 months	5.0
	Hasn't paid	11.5
	No information	2.2
8.4	PROPORTION OF MAINTENANCE ORDER PAID	(n=264)
	Always full amount	69.3
	Usually full amount	15.2
	Usually most (over 3/4)	9.9
	Usually between 1/2 and 3/4	1.5
	No payments	10.2
	No information	1.5

Table 8, cont.

8.5	PROMPTNESS OF PAYMENT	(n=261)
	Always by date set	42.9
	Usually by date set	24.9
	Usually within a week	13.4
	Usually more than a week late	7.7
	No payments	11.1
	No information	2.6
8.6	PAYMENT STATUS	(n=262)
	Excellent	51.5
	Fair	15.3
	Poor	22.0
	Non-payers	12.2
	No information	2.2

9.1 Amount of Maintenance Order

The median category for the amount of the maintenance order was $101 to $200 (40%). The next most common category was $51 to $100 (26%) followed by $201 to $300 (14.0%). The mean maintenance order payment was $190 (standard deviation: $164). This amount compares closely to the mean reported in the survey of women which was $206.

9.2 Ex-husband Behind on Maintenance Order Payments

Twenty-nine percent of those surveyed reported that they were behind on their maintenance order payments at the time of the survey.

9.3 Number of Months in Past Year Ex-husband Paid Maintenance

Over half of the respondents (55%) said they paid every month of the past twelve. An additional 17% reported that they paid between six and eleven months of the past year. Fourteen percent paid something, but paid for five months or fewer. Twelve percent said that they hadn't paid.

9.4 Proportion of Maintenance Order Paid

Over two-thirds (69%) of the sample said that they always paid the full amount of the order when they paid, and 15% said they usually paid the full amount.

9.5 Promptness of Payment

Two-thirds of the sample (68%) reported that they always or usually paid by the date set. Eight percent said that they were usually more than a week late.

9.6 Payment Status

According to the model outlined in Section 9.0, over half of the sample (52%) could be considered to be excellent payers. A further 15% were fair payers. Twenty-two percent were poor payers, and 12% were non-payers.

10.0 DETAILS CONCERNING EX-WIFE

Respondents were asked for information concerning their ex-wives. This information included: their employment status, source of income, estimated income, ownership of home, whether she had established a permanent relationship with another person, whether or not there were children from this relationship, and how the respondent felt about the relationship.

Table 9

Details Concerning Ex-wife

9.1	EX-WIFE'S EMPLOYMENT STATUS	(n=267)
	Unemployed	21.3
	Employed full-time	44.4
	Employed part-time	8.2
	Employed in seasonal occupation	1.5
	Other	7.1
	Don't Know	17.2
	No information	0.4
9.2	SOURCE OF EX-WIFE'S INCOME	(n=264)
	Maintenance	3.8
	Wages/Salary	50.8
	Spouse's Income	11.0
	Social Assistance	14.4
	Other	4.5
	Don't know	15.5
	No information	1.5
9.3	ESTIMATED AMOUNT OF EX-WIFE'S INCOME	(n=190)
	Up to $ 5,000	13.2
	$ 5,001 to $10,000	33.2
	$10,001 to $15,000	33.7
	$15,001 to $20,000	14.7
	$20,001 to $25,000	3.7
	$25,001 to #30,000	1.1
	Over $30,001	0.5
	No information	29.1
9.4	OWNERSHIP OF HOME BY EX-WIFE	(n=246)
	Yes	30.9
	No	69.1
	Don't know	--
	No information	8.2

Table 9 , cont.

9.5	EX-WIFE INVOLVED IN A PERMANENT RELATIONSHIP	(n=265)
	Yes married Yes, living together No Don't know	17.4 21.9 24.5 36.2
	No information	1.1
9.6	EX-WIFE HAS CHILDREN FROM RELATIONSHIP	(n=97)
	Yes No	29.9 70.1
	No information Not applicable	2.6 60.7
9.7	NUMBER OF CHILDREN FROM NEW RELATIONSHIP	(n=29)
	One Two Three Four or more	79.3 10.3 6.9 3.4
	No information Not applicable	-- 89.2
9.8	CHILDREN BROUGHT TO NEW RELATIONSHIP BY NEW PARTNER	(n=87)
	Yes No	20.7 79.3
	No information Not applicable	6.8 60.7
9.9	FEELINGS CONCERNING NEW REALTIONSHIP	(n=94)
	Good Bad Indifferent Don't know	26.6 13.8 53.2 6.4
	No information Not applicable	3.7 60.7

10.1 Ex-wife's Employment Status

Seventeen percent of those surveyed did not know their ex-wife's employment status. Of those who did report an employment status, over half (54%) said their ex-wives were employed full-time. A further 20% said they were employed part-time, seasonally or "other". About a quarter (26%) said their ex-wives were not employed.

10.2 Source of Ex-wife's Income

Sixteen percent of the sample did not know their ex-wives' source of income. Of those who did, 60% reported income from wages and salary. The next most common response was social assistance (17%), followed by spouse's income (13%).

10.3 Estimated Amount of Ex-wife's Income

The modal category (34%) was $1,001 to $15,000 followed closely by the $5,001 to $10,000 category (33%). Only about 5% of the respondents thought their ex-wives' incomes were above $20,000 per year.

10.4 Ownership of Home by Ex-wife

Slightly less than a third (31%) of the sample who answered this question said that their ex-wives owned their home.

10.5 Ex-wife Involved in a Permanent Relationship

Over a third of the sample (36%) did not know whether or not their ex-wives were involved in a permanent relationship. Of those who knew, 38% said that their ex-wives were unattached. Thirty-four percent said they were involved in a common-law relationship and 27% said that their ex-wives had re-married.

10.6 Ex-wife has Children from New Relationship

Of those who reported that their ex-wife was involved with a new relationship, 30% said that they had children from this relationship.

10.7 Number of Children from New Relationship

Most (79%) of those who answered this question said that their ex-wives had had one child from their new relationship.

10.8 Children Brought to New Relationship by Partner

Over three-quarters (79%) of those answering this question said that the partner to this new relationship did not bring any children.

10.9 Feelings Concerning New Relationship

Over half of the sub-sample in question (60%) were either indifferent or didn't know how they felt about the new relationship. Thirteen percent said they felt badly about it.

11.0 NEW RELATIONSHIPS OF RESPONDENTS

Respondents were asked whether or not they were involved in a new, permanent relationship and the status of this relationship, when this relationship began (from which we computed the time between the divorce and the new relationship), whether there were children from this relationship, and whether the partner brought children to the relationship. Details concerning the new partner's income were asked. These included the source of income, the estimated annual income of the partner and the net monthly income.

Table 10

New Relationships of Respondents

10.1 NEW RELATIONSHIP OF HUSBAND	(n=250)
Yes, married	24.8
Yes, living together	24.4
No	50.8
No information	6.7
10.2 TIME BETWEEN DIVORCE AND NEW RELATIONSHIP	(n=96)
More than 2 years before divorce	10.4
1 to 2 years before divorce	10.4
1 month to 1 year before divorce	20.8
Within 1 year of divorce	32.3
1 to 2 years after divorce	11.5
More than 2 years after divorce	14.6
No information/Not applicable	64.2
10.3 CHILDREN FROM NEW RELATIONSHIP	(n=129)
None	69.0
One	15.4
Two	13.2
Three	2.3
No information/Not applicable	51.9
10.4 CHILDREN BROUGHT TO RELATIONSHIP BY HUSBAND'S PARTNER	(n=124)
None	74.2
One	9.7
Two	12.1
Three or more	4.0
No information/Not applicable	53.7
10.5 HUSBAND'S PARTNER'S MAJOR SOURCE OF INCOME	(n=115)
Self-employed	10.4
Wages/Salary	62.6
Supported by Respondent	21.7
Unemployment Insurance	1.7
Other	3.5
No information/Not applicable	57.1

10.6	ESTIMATED INCOME OF HUSBAND's PARTNER	(n=109)
	Up to $5,000	12.8
	$ 5,001 to $10,000	13.8
	$10,001 to $15,000	23.9
	$15,001 to $20,000	25.7
	$20,001 to $25,000	12.8
	$25,001 to $30,000	6.4
	Over $30,000	4.6
	No information	67.0
10.7	NET MONTHLY INCOME OF HUSBAND'S PARTNER	(n=87)
	Less than $500	25.3
	$ 501 to $1000	51.7
	$1001 to $1500	14.9
	$1501 to $2000	3.4
	$2501 to $3000	1.1
	Over $3000	3.4
	No information/Not applicable	67.4

11.1 New Relationship of Husband

Half of the sample (49.2%) indicated that they were involved in a new permanent relationship. Of those who were,roughly half (or 25% of the total sample) had re-married and half were living common-law (24%).

11.2 Time between Divorce and New Relationship

Forty-two percent of those who answered this question had been involved in the new relationship prior to their divorce. Another 32% became involved within a year following their divorce.

11.3 Children from New Relationship

Two-thirds of those involved in a new relationship had not had any children from it. Most of those who had had children (29% of the sub-sample) had one or two.

11.4 Children Brought to New Relationship by Partner

About three-quarters (74%) of those answering this question said that their partners did not bring any children to the relationship.

11.5 Husband's Partner's Major Source of Income

Nearly two-thirds (63%) of those answering this question said that their partners were employed. Twenty-two percent said that they supported their partners.

11.6 Estimated Income of Husband's Partner

The median category for this question was $15,001 to $20,000 (26%), followed closely by $10,000 to $15,000. Some caution should be used in interpreting these figures as it was very likely that some respondents added their own incomes to come up with their answers. Certainly, the net monthly incomes described in the next section (11.7) do not compare well with these answers.

11.7 Net Monthly Income of Husband's Partner

Over half (52%) of those answering this question reported that their partner's net monthly income was between $501 and $1,000. A quarter of this sub-sample indicated that their partner's net monthly income was less than $500.

12. OPINIONS CONCERNING PAYMENT OF MAINTENANCE ORDERS

Respondents were asked who they thought should be responsible for the support of their ex-wife, and the children. Respondents were then asked to indicate whether they agreed or disagreed with a series of statements which related to the reasons for payment and non-payment of maintenance orders.

Respondents who had always paid their maintenance orders were introduced to the series of statements in the following way:

"The following statements are reasons people have given for paying their maintenance orders. Based on your feelings or experience, say whether you agree or disagree with the statement as it applies to you. If you are not sure, or the statement does not apply to you, please circle the appropriate number."

Respondents who had not always been regular in their payments were asked to complete another set of statements headed by the following introduction:

"The following statements are reasons people have given for not paying their maintenance orders regularly or promptly. Based on your feelings and experience, say whether you agree or disagree with each statement as it applies to you. If you are not sure, or the statement does not apply to you, please circle the appropriate number."

Table 11

Opinions Concerning Payment of Maintenance Orders

11.1	OPINIONS CONCERNING WHO SHOULD SUPPORT EX-WIFE	(n=261)
	Husband	7.3
	Wife	82.0
	Her new Spouse	0.8
	Government	4.6
	Don't know	5.4
	No information	2.6
11.2	OPINIONS CONCERNING WHO SHOULD SUPPORT CHILDREN	(n=245)
	Husband	23.3
	Wife	13.9
	Both	56.3
	Government	1.2
	Don't know	5.3
	No information	8.6

Table 11, cont.

Why Maintenance Orders are paid

11.3 WHY MAINTENANCE ORDERS ARE PAID	AGREE	DISAGREE	DON'T KNOW	NOT APPLICABLE	NOT STATED	n =
a) I still feel responsible for my ex-wife	18.1	73.0	3.4	5.4	2.9	(n=199)
b) I still feel responsible for my children	75.1	11.4	3.0	10.4	2.9	(n=199)
c) I still feel close to my children	75.9	10.6	5.0	8.5	2.9	(n=199)
d) My ex-wife's standard of living is lower than mine	25.4	47.8	23.4	3.4	- -	(n=205)
e) Legal proceeding might force me to pay	23.2	30.8	14.6	31.3	3.4	(n=198)
f) I feel responsible for the marriage breakdown	20.0	63.9	11.2	4.9	- -	(n=205)
g) I would not like to see my ex-wife being supported by social assistance	47.0	21.8	15.8	15.3	1.5	(n=202)
h) A court order might force deduction of maintenance order payments from my wages/salary	19.2	35.0	14.8	31.0	1.0	(n=203)
i) I may be imprisoned for non-payment of a maintenance order	18.3	39.6	14.9	27.2	1.5	(n=202)
j) My ex-wife is always after me to pay	18.5	56.5	3.0	22.0	2.4	(n=200)
k) I do not want to damage the remaining family goodwill	60.0	10.5	6.0	23.5	2.4	(n=200)

Table 11 , cont.

Why Orders are not Paid Promptly and Regularly

11.4 WHY ORDERS ARE NOT PAID PROMPTLY AND REGULARLY	AGREE	DISAGREE	DON'T KNOW	NOT APPLICABLE	NOT STATED	n
a) Can't afford to pay the maintenance order	45.6	29.4	7.4	17.6	2.9	(n=68)
b) I feel that the money paid for my children goes to my ex-wife	44.1	19.1	17.6	19.1	2.9	(n=68)
c) My ex-wife spends the maintenance money foolishly	33.8	20.6	29.4	16.2	2.9	(n=68)
d) My ex-wife has enough money to support herself and her children	33.8	26.5	25.0	14.7	2.9	(n=68)
e) My standard of living is lower than my ex-wife's	41.2	32.4	19.1	7.4	2.9	(n=68)
f) I never get to see my children	30.41	49.3	--	20.3	1.4	(n=69)
g) I no longer feel close to my children	27.9	45.6	8.8	17.6	2.9	(n=68)
h) I provide for my children in other ways	31.8	30.3	1.5	36.4	5.7	(n=66)
i) My ex-wife has enough money to support herself	63.2	11.8	20.6	4.4	2.9	(n=68)
j) My ex-wife was responsible for the marriage breakdown	44.3	25.7	21.4	8.6	- -	(n=70)
k) My ex-wife agrees that she no longer needs maintenance order payments	15.2	40.9	31.8	12.1	5.7	(n=66)

11.5 RESPONDENT WOULD PAY OF	AGREE	DISAGREE	DON'T KNOW	NOT APPLIACABLE	NOT STATED	n =
a) I would pay if I were reminded immediately after missing a payment	18.8	53.6	10.1	17.4	1.4	(n=69)
b) I would pay if there were legal proceeding to force me to pay	32.9	34.3	14.3	18.6	- -	(n=70)
c) I would pay if the amount of the maintenance order were deducted from my wages/salary by court order	21.4	52.9	8.6	17.1	- -	(n=70)
d) I would pay if I were sure that the money went to my children and not my ex-wife	55.1	5.8	10.1	29.0	1.4	(n=69)
e) I would pay if were threatened by imprisonment	34.3	41.4	8.6	15.7	- -	(n=70)

12.1 Opinions Concerning who Should Support Ex-wife

Most (82%) of the respondents thought that their ex-wife should support herself. A small minority (7%) thought that they should support their ex-wives.

12.2 Opinions Concerning who Should Support Children

Over half (56%) thought that both themselves and their ex-wives should support the children. Nearly a quarter (23%) thought that they should be responsible and 14% thought that their ex-wives should be responsible.

12.3 Why Maintenance Orders were Paid

The reasons for paying maintenance orders are ranked below by way of summary:

PERCENTAGE AGREEING		PERCENTAGE DISAGREEING
76	Close to Children	11
75	Responsibility for Children	11
60	Preserve Goodwill	11
47	Doesn't like wife on social assistance	22
25	Ex-wife's standard of living lower	48
23	Fear of Legal Proceedings	31
20	Responsible for marriage breakdown	64
19	Fear of Garnishee	35
19	Wife always after him to pay	57
18	Fear of Imprisonment	40
18	Responsibility for ex-wife	73

Continued feelings of responsibility and affection for children were by far the most commonly mentioned reasons for payment. These reasons were followed by the desire to preserve any remaining goodwill in the family. Slightly less than half of the respondents agreed that their not wanting their ex-wife to go on social assistance was a reason for paying their orders.

More respondents disagreed than agreed that the remaining reasons offered applied to them. A quarter of the respondents agreed that the standard of living of their ex-wives being lower than theirs was a reason for paying; however nearly half of the respondents disagreed with this. Potential legal sanctions were seen as reasons for payment by a minority of the sample. However, substantially more respondents disagreed that the reasons applied to them than agreed.

12.4 Why Maintenance Orders were not Paid Regularly and Promptly

Again, to summarize the feelings briefly, the reasons for not paying orders regularly are ranked below:

PERCENTAGE AGREEING		PERCENTAGE DISAGREEING
63	Ex-wife has enough money to support herself	12
46	Can't afford to pay the Order	29
44	Money paid for children goes to ex-wife	19
44	Ex-wife was responsible for marriage breakdown	26
41	Standard of living lower than ex-wife's	32
34	Ex-wife spends money foolishly	21
34	Ex-wife has enough money to support herself and children	27
32	Provides for children in other ways	30
30	Never gets to see children	49
28	No longer feels close to children	46
15	Ex-wife agrees that she no longer needs money	41

Nearly two-thirds of the respondents agreed that their ex-wife having enough money to support herself was a reason for their not paying their orders regularly. Less than half(46%) indicated that their not being able to afford the order was a reason for not paying. This reason was closely followed by feelings that the ex-wife was responsible for the marriage breakdown and that the money meant for the children went instead to the ex-wife.

Roughly a third of the respondents agreed that the ex-wife spending money foolishly, the ex-wife having enough money to support herself and the children and providing for the children for other ways, were reasons for them not paying regularly.

More respondents disagreed than agreed that the final three reasons for non-payment applied to them. Nonetheless, never being able to see the children and no longer feeling close to them were given as reasons by a substantial minority of respondents (30% and 28% respectively).

A few respondents (15%) gave their ex-wife agreeing that she no longer needed the money as a reason for non-payment.

12.5 Respondents would Pay if:

The majority (55%) agreed that they would pay if they were sure that the money went to their children. Roughly a third agreed that they would pay if legal proceedings forced them (33%) or if they were threatened with impmisonment (34%). However, in these two cases more respondents disagreed than agreed. A minority agreed that threat of garnishee (21%) or being reminded immediately after a missed payment (19%) would cause them to pay.

13.0 FACTORS RELATING TO THE PAYMENT AND NON-PAYMENT OF MAINTENANCE ORDERS

The major dependent variable for this study was payment status. Respondents were categorized into four categories: excellent, fair and poor payers and non-payers. This variable was cross-tabulated with a number of independent variables (i.e. variables that may explain the payment status) to explore the factors relating to payment and non-payment of maintenance orders. In cases where the independent variable was scaled at an interval level, difference of means tests and analysis of variance techniques have been used.

13.1 PAYMENT STATUS BY AGE

Table 12.1

Payment Status by Age

PAYMENT STATUS	MEAN AGE	STANDARD DEVIATION	NUMBER OF CASES
Excellent	39.0	10.2	125
Fair	32.8	6.1	40
Poor	30.8	8.3	55
Non-payers	33.0	8.1	32
$F = 13.26, .0001 > p$			

Excellent payers were significantly older than the other three categories of payers. However, the relationship between payment status and age was not linear as there was little difference among the fair, poor and non-payers.

13.2 PAYMENT STATUS BY LENGTH OF MARRIAGE

Table 12.2

Payment Status by Length of Marriage

PAYMENT STATUS	MEAN NUMBER OF MONTHS MARRIED	STANDARD DEVIATION	NUMBER OF CASES
Excellent	143.0	125.1	119
Fair	71.0	40.9	31
Poor	86.4	83.7	45
Non-payers	79.8	74.5	24
$F = 6.76, .0002 > p$			

Again, excellent payers were married for a significantly longer time than the other three categories. There was little difference among fair, poor and non-payers, that could not be explained by small sample sizes and large standard deviations.

13.3 PAYMENT STATUS BY SATISFACTION WITH ACCESS TO CHILDREN

Table 12.3

Payment Status by Satisfaction with Access to Children

PAYMENT STATUS	SATISFACTION WITH ACCESS	
	YES	NO
Excellent	53.7	50.0
Fair	15.9	12.5
Poor	18.9	23.4
Non-payers	11.6	14.1
No. of Cases	(164)	(64)
$Chi^2 = 1.16, .77 > p$		

There was no relationship between the expressed satisfaction with access by the respondent and his payment status.

13.4 PAYMENT STATUS BY SOURCE OF ORDER

Table 12.4

Payment Status by Source of Order

PAYMENT STATUS	SOURCE OF ORDER		
	Family Court	Supreme Court	Voluntary
Excellent	52.6	62.7	42.1
Fair	13.8	18.6	15.8
Poor	19.0	8.5	32.9
Non - payers	14.7	10.2	9.2
No. of Cases	(116)	(59)	(76)

Orders that were voluntary or originated from Family Court appeared to have a greater number of poor and non-payers than orders from the Supreme Court. However, the difference was not statistically significant.

13.5 PAYMENT STATUS BY ORIGIN OF ORDER

Table 12.5

Payment Status by Origin of Order

PAYMENT STATUS	ORIGIN OF ORDER	
	Alberta	Other
Excellent	57.4	40.0
Fair	14.8	14.5
Poor	18.6	18.2
Non-payers	9.3	27.3
No. of Cases	(183)	(55)

Orders that originated in Alberta tended to be paid significantly better than orders originating outside of the province.

13.6 PAYMENT STATUS BY ENFORCEMENT OF ORDER IN ALBERTA

Table 12.6

Payment Status by Enforcement

PAYMENT STATUS	ENFORCEMENT OF ORDER IN ALBERTA	
	Yes	No
Excellent/Fair	83.4	42.5
Poor/Non-payers	16.6	57.5
No. of Cases	(30)	(40)

Despite the small number of cases there was a significant relationship between the enforcement of the maintenance order in Alberta and the payment status of the individual.

13.7 PAYMENT STATUS BY THE AMOUNT OF ORDER

Table 12.7

Payment Status by the Amount of Order

PAYMENT STATUS	MEAN AMOUNT OF ORDER	STANDARD DEVIATION	NUMBER OF CASES
Excellent	202.59	192.01	133
Fair	171.00	94.49	38
Poor	194.81	143.02	52
Non-payers	143.28	119.47	25
$F = 1.12, \quad 0.35 > p$			

There was no relationship between the amount of the order and the payment status of the respondent.

13.8 PAYMENT STATUS BY SATISFACTION WITH ARRANGEMENTS FOR PAYMENT

Table 12.8

Payment Status by Satisfaction with Arrangements for Payment

PAYMENT STATUS	SATISFIED WITH ARRANGEMENTS FOR PAYMENT	
	Yes	No
Excellent	57.0	35.4
Fair	14.0	18.5
Poor	21.2	20.0
Non-payers	7.8	26.2
No. of Cases	(167)	(84)

$Chi^2 = 18.3, \quad .001 > p$

There was a highly significant relationship between the expressed satsifaction with the arrangements for payment and payment status. However, this relationship should not be taken at face value. Most respondents appeared not to be dissatisfied with the arrangements but with the maintenance order per se.

13.13 Payment Status by new Relationship of Wife

Table 12.13
Payment Status by New Relationship of Wife

PAYMENT STATUS	YES	NO
Excellent	52.9	50.0
Fair	10.8	14.1
Poor	18.6	31.3
Non-payers	17.7	4.7
No. of Cases	(102)	(64)
$Chi^2 = 10.3, \quad .02 > p$		

Men whose wives were involved in a new relationship were significantly less likely to pay their orders than men whose ex-wives remained single. The biggest difference occurred in the poor and non-payer categories.

13.14 Payment Status by Yearly Income

Table 12.14

Payment Status by Yearly Income

PAYMENT STATUS	UNDER 10,000	10,000 20,000	20,000 30,000	OVER 30,000
Excellent	25.0	47.5	66.2	65.7
Fair	14.6	18.2	12.2	17.1
Poor	37.5	23.2	13.5	8.6
Non-payers	22.9	11.1	8.1	8.6
No. of Cases	(43)	(99)	(74)	(35)
$Chi^2 = 27.9, \quad .001 > p$				

Income was significantly correlated with payment status: the higher the income, the more likely the person was to be a good payer.

13.9 PAYMENT STATUS BY OPINION CONCERNING FAIRNESS OF ORDER TO RESPONDENT

Table 12.9

Payment Status by Opinion Concerning Fairness
of Order to Respondent

PAYMENT STATUS	FAIRNESS OF ORDER TO RESPONDENT	
	Yes	No
Excellent	58.7	42.9
Fair	14.4	14.3
Poor	20.4	20.2
Non-payers	6.6	22.6
No. of Cases	(167)	(84)
$Chi^2 = 14.3$, $.01 > p$		

Those who considered the order to be fair to them were significantly more likely to pay than those who didn't.

13.10 Payment Status by Opinion Concerning Fairness of Order to Ex-wife

Table 12.10
Opinion Concerning Fairness of Order to Ex-wife

13.10 PAYMENT STATUS	Fair/Too little	Too much	Don't know
Excellent	58.2	46.0	28.9
Fair	17.6	14.3	21.1
Poor	21.6	20.6	23.7
Nonpayers	6.3	19.0	26.3
	(158)	(63)	(38)
$Chi^2 = 8.41 \quad .05 > p$			

Those who thought the payments were fair to their ex-wives or too little, were significantly more likely to pay their maintenance orders than those who thought the order was too much or than who didn't know.

13.11 Payment Status by Opinion Concerning Fairness of Order to Children

Table 12.11

Opinion Concerning Fairness of Order to Children

13.11 PAYMENT STATUS	YES	NO/DON'T KNOW
Excellent	60.7	38.9
Fair	14.5	19.4
Poor	17.2	25.0
Non-payers	7.6	16.7
	(145)	(72)
$Chi^2 = 10.3, \quad .02 > p$		

Those who thought that the maintenance order payments were fair to their children were significantly more likely to be good payers than those who didn't or didn't know.

13.12 Payment Status by Opinion Concerning Whether the Order was Based on Husband's Earnings

Table 12.12

Opinion Concerning Whether the Order
was Based on Husband's Earnings

13.12 PAYMENT STATUS	YES	NO
Excellent	59.1	42.9
Fair	13.6	17.9
Poor	15.5	27.7
Non-payers	11.8	11.6
No. of Cases	(110)	(112)
$Chi^2 = 11.8, \quad .01 > p$		

Men who thought that the order was based on their earnings did differ significantly from those who did not think this was so.

13.13 Payment Status by new Relationship of Wife

Table 12.13
Payment Status by New Relationship of Wife

PAYMENT STATUS	YES	NO
Excellent	52.9	50.0
Fair	10.8	14.1
Poor	18.6	31.3
Non-payers	17.7	4.7
No. of Cases	(102)	(64)

Chi^2 = 10.3, .02 $>$ p

Men whose wives were involved in a new relationship were significantly less likely to pay their orders than men whose ex-wives remained single. The biggest difference occurred in the poor and non-payer categories.

13.14 Payment Status by Yearly Income

Table 12.14

Payment Status by Yearly Income

PAYMENT STATUS	UNDER 10,000	10,000 20,000	20,000 30,000	OVER 30,000
Excellent	25.0	47.5	66.2	65.7
Fair	14.6	18.2	12.2	17.1
Poor	37.5	23.2	13.5	8.6
Non-payers	22.9	11.1	8.1	8.6
No. of Cases	(43)	(99)	(74)	(35)

Chi^2 = 27.9, .001 $>$ p

Income was significantly correlated with payment status: the higher the income, the more likely the person was to be a good payer.

13.15 Payment Status by Net Monthly Income

Table 12.15

Payment Status by Net Monthly Income

PAYMENT STATUS	MEAN NET MONTHLY INCOME	STANDARD DEVIATION	NUMBER OF CASES
Excellent	\$1,676	1240	122
Fair	\$1,316	525	38
Poor	\$1,181	453	50
Non-payers	\$1,593	1573	27
$F = 2.98$, $0.05 > p$			

As expected from section 13.14,there was a significant difference among the fair payment status groups as to their net monthly income. It is interesting to note that non-payers had nearly as high a net income as excellent payers. This suggests that low income is associated with irregular payment, but it is not that highly associated with complete non-payment.

13.16 Payment Status by New Relationship of Husband

Table 12.16

Payment Status by New Relationship of Husband

PAYMENT STATUS	NEW RELATIONSHIP OF HUSBAND	
	YES	NO
Excellent	57.9	47.2
Fair	18.2	13.0
Poor	14.0	26.8
Non-payers	10.0	13.0
No. of Cases	(121)	(123)
$Chi^2 = 7.8$, $.06 > p$		

From 13.16 it appears that men who are involved in a new relationship tend to be better payers than those who are not. However, the reader is cautioned that this tendancy is slight and does not reach the .05 critereon of statistical significance.

13.17 Payment Status by Ownership of Home by Husband

Table 12.17

Payment Status by Ownership of Home by Ex-husband

PAYMENT STATUS	OWNERSHIP OF HOME		
	YES	NO	
Excellent	67.5	43.4	
Fair	18.1	14.5	
Poor	10.8	26.6	
Non-payers	3.6	15.6	
No. of Cases	(83)	(173)	
Chi^2 = 20.2, $.001 > p$			

There was a highly significant relationship between ownership of a home by the husband and payment status. Those who owned homes tended to be better payers than those who didn't.

13.18 Payment Status by Estimated Income of Ex-wife

Table 12.18

Payment Status by Estimated Income of Ex-wife

PAYMENT STATUS	ESTIMATED INCOME OF EX-WIFE		
	LESS THAN 1000	1001 to 1500	MORE THAN 1500
Excellent	40.2	51.6	60.5
Fair	16.1	14.1	18.4
Poor	34.5	21.9	5.3
Non-payers	9.2	12.5	15.8
No. of Cases	(87)	(64)	(38)
Chi^2 = 13.5, $.02 > p$			

Although the estimated income of the ex-wife was significantly related to payment status, this relationship was not linear. The proportion of excellent payers and non-payers both rose as the estimated income of the ex-wife rose.

13.19 Payment Status by Employment Status of Ex-wife

Table 12.19

Payment Status by Employment Status of Ex-wife

PAYMENT STATUS	EMPLOYMENT STATUS OF EX-WIFE	
	EMPLOYED FULL-TIME	UNEMPLOYED
Excellent	54.6	45.5
Fair	15.1	18.2
Poor	20.2	25.5
Non-payers	10.1	10.9
No. of Cases	(119)	(55)

$Chi^2 = 1.3, \quad .6 > p$

There was no significant relationship between the employment status of the ex-wife and the payment status of the husband.

13.20 Payment Status by Income Relative to Social Assistance Rates

Table 12.20

Payment Status by Income Relative to Social Assistance Rates

PAYMENT	MEAN RELATIVE INCOME	STANDARD DEVIATION	NUMBER OF CASES
Excellent	3.37	1.76	117
Fair	2.73	1.09	37
Poor	2.71	1.34	48
Non-payers	3.22	1.72	24

$F = 2.84, \quad .04 > p$

Income relative to social assistance rates was used as an index of the degree to which respondents could afford to pay their orders. It was developed by adding together the respondents' net money income to that of his partner (if applicable) and dividing this total by the amount he would receive from social assistance.

There was a statistically significant difference among the four payment status categories as to their mean relative incomes. Excellent payers had higher relative incomes than did fair and poor payers. However, non-payers had nearly as high a mean income as did excellent payers. This pattern repeats the one found in Section 13.15 which dealt with net income alone.

13.21 Payment Status by the Amount of the Maintenance Order Expressed as a Proportion of Disposable Income

Table 12.21

Payment Status by Amount of Order Expressed as a Proportion of Disposable Income

PAYMENT STATUS	MEAN PROPORTION	STANDARD DEVIATION	NUMBER OF CASES
Excellent	0.21	0.21	121
Fair	0.39	0.93	37
Poor	0.36	0.48	48
Non-payers	0.17	0.21	21
$F = 2.5$, $.06 > p$			

A rough estimate of disposable income was computed by subtracting what the respondents would have received from social assistance from their total net monthly income. The amount of the maintenance order could then be expressed as a proportion of disposable income.

Although the relationship did not quite reach the 0.05 level of significance, the same pattern as seen in Sections 13.15 and 13.20 was reproduced.

APPENDIX A

Reasons Given Why Payment Arrangement Unsatisfactory

It was too much then. Now it is better because I am here in Alberta with a better job.

I haven't always been working. When I dropped behind in payments I was picked up by the police. It took nearly every cent I had.

Her lawyer had payments deducted from my service pay. Could not afford it at time had to retire from service then it was deducted from my pension. It became a legal hassle again to have amount reduced.

The method of payment was satisfactory, however, although the payments were not high at this time, my ex-wife is going to constantly apply for more, of which her last affidavit is asking for $900 per month. I also gave her the house, which has $15,000 equity.

Payments too high.

At the time the arrangement was made I was only clearing around $800 a month with a trailer (home) payment at $500 per month and living and loans expenses left me with virtually nothing for quite a long time.

I can't afford it. This is killing me!!!

Can't afford to pay $25.00 for a kid.

Going to school, can't afford payments.

I did not have an address for my ex-wife, If I had I would have paid her directly.

I feel that since one of the children was definitely not mine and the other I am not sure about. I am being ripped off especially as how the original father of the child is not paying anything.

As I am remarried with a family, I think it is excessive as she has remarried.

Hassle of getting certified cheques.

Being unrepresented, I made a private agreement with my wife and her lawyer which indicated no maintenance payments. I later unwittingly agreed to maintenance payments by signing or agreeing to the Decree Nisi.

I believe the money is not being used for the kids, but for her own use.

My wife would not let me see my children and got a restraining order against me for spite.

Ex tried to say cheques not received.

It wasn't being used for kids.

She wants more.

Because my older son is working pays room and board and she still wants the same amount of money.

Naturally I would rather not pay anything.
Because my wife didn't spend money on my son, just herself.

Since she was not going to school, she worked and helped him go to school so when they split up she demanded a payment to her for his expenses while he wasn't employed.

Sometimes the cheques were being endorsed by a third party living with my ex-wife and I am not sure the money was used to benefit the children.

Too much money and was not working.

Division of property was markedly in my ex-wife's favor, plus having no children she can afford to support herself.

She works and can afford to support herself and child.

He is a student, can't pay now.

Had a lot of debts.

They were informed I only work part-time as I am in a nursing program in University at the present time.

Can't afford it.

Can't always pay.

I am obligated to pay for my children but I feel I shouldn't be supporting my ex-wife.

Do not feel that I should have to pay any support.

Before Family Court ordered me to pay $100 per month to them, I had to pay her $50 per month. They doubled my payments because I was behind. Also, I had owned my own business and lost it and was paying everyone off. They knew that.

Not enough income.

It was satisfactory when I was making more money. But since I changed jobs I am having a hard time keeping up. Since then my wife has left my daughter with her sister.

It was too much for me at the time for me to rent a place and paying a few bills, I barely made it. I am the one who did without and I was the one working. Great, isn't it.

Too much.

No interest.

Didn't want to pay.

She wasn't entitled to half the house as I paid for the house and she lived there on welfare.

She makes more money and he feels he is a sucker. His daughters felt he should pay to keep the peace.

None of the children were with my ex-wife.

How can I be expected to pay when the family is not living with me.

She didn't need his money.

Wife living common-law with another man in the matrimonial home.

Ex-wife's leaving was solely voluntary. Prior to leaving she ensured that I was as deeply in debt as our credit limits would allow. She, of course, took all chattels to which the law entitled her.

Because she would not get any more increase of social assistance even if I did pay. She would get the same amount before and after baby was born.

My ex-wife is on welfare, which I disagree with. The money goes to welfare not to my children. They get nothing out of it unless I do it on the side.

She was on welfare. Court did not specify who it was to paid to so no payments were made.

APPENDIX B

Major Reasons for Regular Payment of awards

Respondents who paid their orders regularly and promptly were asked to write down their main reason for payment, (occasionally this was done for them by the interviewer). Their responses have been transcribed verbatim in this appendix.

Of the 192 who answered this question, 84 or 44% said they paid because of responsibility towards their children. And another 33 (or 17%) mentioned responsibility in general. Legal requirements were mentioned by only 12% of the respondents and only six actually expressed fear of legal sanctions.

COMMENTS RELATING TO COURT ORDERS AS REASON FOR PAYMENT

Forced by court order.

Because of the court order.

Court order.

Court order.

Handed down by the court so she can never take me to court again.

Forced to by the law.

Because the stupid law says I have to.

The court has forced me to pay.

Court ordered maintenance for child only $225.00 per month. This is high by comparison, but I do agree with the order itself.

Court ordered.

Possibility of going to court again, I got fucked good enough the last time.

Court ordered it.

Court order (at this point) Ex-wife has left this city and this deprived me of visitation rights for the past two years.

Ordered by the courts.

Court order now, but I was previously paying her on my own before she took it to court.

I feel I was judged wrong.

Doesn't mind paying, doesn't agree with military taking money directly.

They could take cheques.

At this time, it would be easier to pay my ex-wife directly or by cheque. It would be less trouble and would avoid court costs.

Payments took too long to come from family court.

These demands were forced upon me.

Would rather be making the payments through the courts.

Because I was not allowed to say anything on my behalf.

No possibility of contact.

Never send money to court, give to the ex.

My wife got everything, I had a lousy lawyer.

The Family Court is in Grande Prairie although my ex-wife and I both live in Edmonton now. Poor communication channels. Also, the worker in Family Court was extremely inefficient in his job.

No one asked me about it to start with. Also, I don't agree with this particular form of oppression and blackmail. I would not work if forced to do anything by anyone.

When informed of date to start payments, I received this notice 2 months in arrears and 10 days. I had two weeks to come up with 3 months maintenance. Not practical. I was also informed the following day that I was late 2 months and 10 days and should inform a judge why.

I must pay, no want trouble with government.

By order of the Family Court, but I don't feel that I am responsible for our marriage breakdown.

I am paying because I am legally obliged to, however, I would not be adverse to paying voluntarily. I feel once the marriage is over it is over and each should go separately which includes financially.

Because I am legally bound, no other.

Ordered to, didn't mind.

Court order.

Court order, she was capable of working at that time.

I am forced by the court.

I feel that my payment should be paid directly to my ex-wife. Now, it currently goes to Family Court and then to social services as my ex-wife is on welfare. There is no personal feeling that my money is going to my children. Also, she does not have to comply with any court orders re: visiting rights to my children. Perhaps if it was more personal I would have more rights.

COMMENTS RELATING TO FEAR OF THE LAW AND/OR JAIL

My company would not tolerate a garnishee order on my salary.

I was told if I miss a payment, I would be jailed for thirty days.

Afraid to go to jail.

Would probably be imprisoned.

He says he will go to jail if he doesn't.

COMMENTS RELATING TO THE CHILDREN AS A REASON FOR PAYMENT

I made an agreement which I want to live up to and feel responsible for my child.

Because the children are mine and I want to support them. The children from a marriage failure should be made as comfortable as possible.

The love of children.

He is my son and I feel a deep responsibility towards him for his health and well being.

I feel it is my personal responsibility to help my children and their mother the best way I am capable of.

Responsibility to children, keep the peace.

Children.

For my children.

For the love of my children (three).

For my child.

For my kids.

For the benefit of the child's education.

Support of my only child.

Because it is for my son's needs.

Child.

To help my child.

Our children - I don't want them to do without.

Love for my child.

I feel responsible for my children, but, as my ex-wife has not worked from the time we were married to the present, I don't feel she shares the same obligation.

I feel responsible for the well being of my children.

To keep the standard of living that the child of this marriage should have and to keep ex-wife and child in comfortable financial means.

To support my children and maintain a good relationship with them.

I love my kids.

I want to remain on good terms with my children.

For the love of the children and I have no choice anyway.

When he does pay it is to make sure the kid is looked after.

Responsibility towards children.

I still feel obligated to my child.

To ensure that the children's standard of living was not altered.

Welfare of child.

The responsibility toward children.

Provision for the children.

Children.

For the kids. But I was told not to pay by my lawyer.

To see that my child is fed and dressed properly.

I feel obligated to their well being.

So I could help support my son.

So that my children will be well provided for, clothing, food, etc.

I feel responsible for my daughter.

The kids.

Children's needs.

Because my kids need it.

I don't want my children to suffer.

Support of my children and their well being.

Help support my children.

Provide support for my children.

Two children to finish school.

I love my kids.

I feel that I owe a lot to my kids.

To help support my daughter.

Children and I still care for my wife.

For the good of my children.

To support my children.

The kids are with their grandparents (ex-wife's parents) so I know the money is needed and being used for their welfare.

Children's welfare.

My children.

To help out with the kids.

Support of child.

Educational fund for schooling for my son.

My children will grow up with all the basics plus anything we can provide eg. music lessons, athletic clubs and lessons, etc.

The children.

Help with the child.

Support children.

I still love my son and will help with his upbringing.

Keep my children happy and in good health.

Love my daughter.

Child's welfare.

I love my child and want good things for her. So she can have what she needs even I haven't seen her but she will come to me in the summer.

My kids, I have them.

My child.

I don't want my children to suffer.

The child.

The biggest reason would be that I love my girls and care for them.

Because I love them other than that the court would not get nothing.
I would go to jail first.

To help my children all I can.

To ensure food, clothing and education for the one child remaining at home.

To the benefit of my child.

For my children to have what they need and deserve.

My child - the more money the easier things go.

He said he loves his kids and she has been fair about seeing them whenever he wants so he feels he wants to make sure he pays. His wife looks after them well.

Want to make sure the children are well taken care of.

My children not my ex-wife. She is the one who went and told me to get out.

The money is for the kids, clothes, food and to have fun, summer camp, Girl Guides etc.

Love my child.

COMMENTS RELATING TO VISITING PRIVILEGES

So I can see my children.

So I can see my child.

So I have the right to see my children.

To be able to see the children.

So that I have access to my children.

To keep family happy and to have access to child.

COMMENTS RELATING TO RESPONSIBILITY AS A REASON FOR PAYMENT

Feel responsible for my children.

I feel it is my responsibility.

I feel that it is my duty and responsibility toward the mother of my children. Marriage breakdown was due to emotional problems brought about by the loss of two children.

I am looking after my children because I feel responsible for their support and moral upbringing.

I feel responsible for my ex-wife and kids welfare.

He wants to support the last one at home as he did with the other three. Says he feels it is his responsibility as well to maintain the children.

I feel responsible for my children.

It is my responsibility.

Because it is a responsibility to yourself.

I feel it is my responsibility to contribute maintenance for my children to the best of my financial ability.

I feel responsible for my children's upbringing.

I still care for her and her kids - they need it and that is why I do it. I sure can't want her to go on welfare the way they were when I met them.

They are my responsibility, I wish to support and help them.

I feel I have a responsibility to the support of my children.

Because I feel responsible for my kids and if something happens I could have a say at the end.

Recognition of responsibilities.

Feels responsible for the support of his daughter.

He feels he lived with her for 29 years and brought up the kids and he feels he owes it to her.

I was responsible for their conception, therefore, I am responsible for their maintenance and part of their upbringing.

Feel obligated to support my children.

I feel responsible for my daughter. I don't pay any money to my wife only child support.

He feels responsible for the kids, he wanted them more than her so he likes to pay.

I still feel responsible for the maintenance of my children.

I feel a certain amount of responsibility for financial support of children.

My reason for paying is it is my responsibility.

I felt responsible to my children and my wife to help support the children in some financial capacity.

I feel responsible for my child, she resides with me less than half of the time, hence I pay to even this out as well as day care costs.

Because they are my responsibility.

Responsibility to child.

Because the kids are mine and I figure I should pay to support them.

I still feel responsible for my children and feel close to them.

It is my responsibility to help feed and support my son as my wife would have difficulty doing it alone.

He feels responsibility for his children but since she is living with another man, he should also support the children.

GENERAL COMMENTS

I can afford it.

Wife is ill.

Can afford it.

My wife raises children and keeps the house, so I pay every month.

Ex-wife needs its.

She needs it.

He feels that because of his job the marriage broke down so he pays because he feels bad about the situation.

So she can live. So she can manage, she can't work because she is sick.

Wife and child needed support.

Feel obligated to my wife, still married, and my daughter.

I love my family and still care a lot for my ex-wife, neither her nor I were responsible for the reason for breakdown, however, being together 24 hours a day would still not work.

She did help him for two years going to school so he is willing to pay her back but wonders if he will have to pay her forever.

Benefits are part of disability pension.

Guilt.

I agree to pay child support as an integral part of our settlement.

He can pay and wants to be sure his wife gets the money each month.

Constant harassment and threats of physical violence.

Fear of physical violence.

I like to. I get positive vibrations.

Get the ex-wife out of my hair.

My wife's new clothes.

To keep her happy.

She is only working part-time.

Feel sorry for my wife.

She went to lawyer, when I bought a house I had it in my name and hers which was a mistake as she uses her maiden name.

To assist my wife in raising my children properly.

I got no reason because they should be with me and not in a foster home.

I feel it I keep paying support my ex-wife and her husband will not try to adopt my child.

Free conscience.

Conscience.

Religious belief.

Conscience.

Because I want to.

Natural thing to do.

Hopefully my wife has set up a savings account for my daughter, got her new clothes and "makes" sure she is fed properly. No garbage food.

Not to have any involvement or anything to do with her unless absolutely necessary.

Agreement with ex-wife to pay on time.

APPENDIX "C"

Major Reasons for Non-payment of Awards

Respondents who were not paying their maintenance orders were asked to write down their main reason for not paying. Their responses were transcribed verbatim in this appendix.

Of the 69 who answered this question, 24 cited financial reasons as their reason for non-payment. Twenty-three respondents cited reasons relating to their ex-wife as their reason for non-payment. The remaining 19 gave a variety of different reasons.

COMMENTS RELATING TO HUSBAND'S FINANCIAL SITUATION AS REASON FOR NON-PAYMENT

My current situation has changed and I am now more able to make the payments. At the time when I was not paying I simply could not afford it as I was left with the financial burdens of the marriage.

No money.

I have not paid child support in the last 18 months as I suffer from a chronic illness which has not permitted me to be employed full-time until recently. I will resume payments when I am again financially stable.

I would always pay on time if I could affort it. Any payment I have missed has been due to a lack of funds.

Sometimes I just can't make ends meets.

Lack of funds.

I have enough trouble getting myslef through the month let alone paying my maintenance order.

I missed several payments due to not having money at that time, however, things have improved since then.

Non-sufficient funds. My work is intermittent. My cars cost money. My wife and children are making it and I help when I can.

Can't afford it.

I don't have the money.

Because my job is seasonal, I am late once in a while. This does not seem to cause any problems however, my ex-wife is good about it.

Sometimes temporarily broke - sometimes neglect. Paid immediately if asks because ex was going to need it.

COMMENTS RELATING TO WIFE'S NEED AS REASON FOR NON-PAYMENT

Ex-wife left me and took all the money, etc., committed adultery, etc. and doesn't deserve any.

Prior to December 1979 she was making more money than I. She quit her job and expected me to support her and the kids. I refused and missed the last two payments in 1979 out of spite.

I am getting ripped off. I won't pay unless I see where the money is going.

The payment as ordered was a token one. My divorce was a little strange.

I made regular maintenance payments for the first 3 ½ years of separation until shortly after her remarriage. I also provided considerable extras. Other than making the children accessible during one or two occasions throughout the year, my ex-wife has completely ignored the provisions of the divorce agreement.

Not getting to see the kids and no co-operation from the ex-wife.

The children were from my wife's first marriage and her ex-husband refused to leave us alone. So after 5 years I left her to him.

Never know where to find the new address.

My ex has never done a bit of work to try to support herself or the children. She would rather collect welfare. I don't thing this is a fair situation.

Originally because of outstanding debts of my ex-wife's which I had to pay. Then, because she cleaned me out of all my personal effects I had to go into debt to purchase new furniture, clothing, etc.

My former family are well provided for by marriage. I must care for my present family. I don't have the income to do both.

She got half the house money. She bought another house and had money from welfare. I paid all the bills.

Because my ex-wife left the children with me for holidays, moved and changed her phone. After six months, welfare found her and asked her to sign over custody which she refused to do. So she was forced to take the children back. She never paid me support while I supported the kids. She wouldn't even tell me where she lived. I had to leave the children at her mothers.

No money and she spends all the money for clothes on herself and the child is at a babysitter all day and all night.

Court ordered but ex didn't need, want or ask for. Personal agreement that there was to be none.

Ex-wife has three sources of funds, her standard is visibly higher. The court took nothing more than tradition into account in awarding maintenance to her. She got two children as did I. She was remarried at the time of the order.

First my son would not receive it. My wife now doesn't take care of him. It is in the courts for custody, in my favor.

My ex-wife remarried a millionaire who spends lavishly on her. In addition, she was awarded (or given) our house and contents, my car and prior to her second marriage, 50% of my salary. She doesn't need it.

Wife renegged on personal effects agreement and refused to let me see the children so I refused to pay.

Because my children are not being looked after in the right way for their ages.

She spends the money on herself - fur coats, jewellry, etc.

Ex-wifes mismanagement of money.

Feel my wife doesn't need it and spends it frivolously.

GENERAL COMMENTS RELATING TO NON-PAYMENT

Because I want my kids back.

Wife doesn't always request money if I miss. Very independent.

She makes more than me.

I am going to school at the present time to better my education so I can better support my children after school.

The wife has the kids and he doesn't know even where they are so why pay.

Unemployed for a while.

I would as soon as possible.

It is not my will to do so.

I was told not to, and I don't know if I am divorced or not.

My wife will not let me see my children. It was always a fight or rather an argument to get to see my children.

Payment is to be made for a child that is not my own.

No access to child.

Spite, on occasion.

Busy with my job which is much more important. I travel constantly.

Being self-employed, collections.

Not having my visitation rights allowed my ex-wife has an excuse every time I make plans to see my child.

Not being able to see children on a regular basis.

Lack of access to children.

Didn't give a damn.

APPENDIX "D"

General Comments made by the Respondents including both Payers and Non-payers of their Maintenance Orders

GENERAL COMMENTS

I had a permanent relationship and a child from the relationship but we are not living together now.

Support to be paid until age 21 which was age of majority at time of divorce - lowered in meantime to 18. Why do I still have to pay till the child is 21.

I was poorly represented by my lawyer. The divorce petition was instigated by me. The grounds were conclusive. However, I was under considerable stress and duress and my lawyer was clearly intimidated by her lawyer. I was told to be content with giving her whatever her lawyer demanded of me. My despair over leaving my children was such that I did not want to see their home dismantled so I gave it to her, intact. A few months after the formal divorce she remarried, moved into her new home, and moved her mother and step-father into what had been our home. I know, but can't prove that the payments I make go toward maintenance of her parents in our former home. Meantime, I am forced to live from payday to payday with little opportunity to recover financially. Naturally, I am filled with resentment. I think this is an excellent and much needed survey. I hope you achieve the desired results.

Many of my friends and co-workers believe my relationship is strange however, it may be described by me as honest as I can make it and comfortable. Maturity on my part has helped and I realize now things may have changed if I understood at the time but only by about 10%. It won't work now but is better on this level outside of my feeling of being an absentee parent. Nobody with human feelings can enjoy being away from their children.

I feel strongly that a wife (or rather ex) is entitled to that portion of one families holdings that she has contributed to. If one enters marriage wealthy then it follows that the spouse should not be permitted to rape the partner financially.

Besides monthly support payments, I'm also responsible for "reasonable" medical expenses. So far this has included dental appointments every 4 months, eye examinations and if she is sick she is always taken to the emergency room, rather than to a family doctor. Of course, it is much more expensive for an emergency call and I assume this is why the ex does it. I have also been back to court once in order to get the bitch forced to adhere to "reasonable" visiting privileges.

On two occasions throughout the year, my ex-wife has completely ignored the provisions of the divorce agreement. In fact, both children were enrolled in school under her new married name. She has made so much trouble for my parents (who live approximately 40 miles from where her residence is) that they no longer have any desire to see their grandchildren. I intend to see to it that I provide for the children's education. I will assist them to whatever extent possible with their careers. It costs me approx. $200 - 250 per visit for travelling costs, etc. This certainly is not taken into account by the Family Court in making its decision. I found several representatives of the Family Court to be most unco-operative and vicious in their attitudes toward separated men. Several other divorced men with who I have had contact since my experience have indicated that they suffered similar treatment. Both the separation and divorce were extremely detrimental to any career I might have had. I found many employers (potential) indicated considerable reluctance at the prospect of an employee whose personal life was unsettled.

My marriage was something that was very worthwhile, but now that I have survived the breakup, I can see that both of us had to separate. I feel very well about her but her behavior re: my daughter is questionable. I hope that I have helped and I really appreciate that some work is being done in this area.

He feels that any woman who forces a husband out of the matrimonial home with the aid of the legal system whould not be entitled to support. In his case and here was a restraining order and he feels that this was a great injustice. He knows about 10 cases where there has been such an injustice where in one case the man committed suicide. He found out that legal aid was only available for the petitioner and not for the respondent.

I can't understand how the law will permit a married woman to live common-law, especially when there are children involved. The environment in a younger child's life is so confusing and applies earlier pressures on the child, especially in my case my wife tells my 5 year old daughter to call her boyfriend "Daddy". These are pressures which damage the kids today, and ruins any hope for a better future for all of society. For 3 years I have been trying for joint or full custody. I love my daughter too much to give up. I have to get her out of that common-law environment. The love between my daughter and I is greater than her mother's love. It is sad but my daughter is with the wrong parent. Thank you.

From my experience with other males who were forced to pay, I have found some similarities; feeling of powerlessness, no explanation of legal rights (many men are totally ignorant of the law, cannot afford a lawyer, especially if cannot afford the payments), and are in fear of the law. No legal services for men. Family Court gives no explanation of rights, men are assumed to be the "bad guys: No explanation is given to where men can seek legal aid, not to mention that they usually are not entitled to free legal representation as the women are who are on public assistance.

If I could pay $50 a month directly to my daughter or put $50 a month in a trust fund for her until she was 18 I would never miss a payment. I feel it is useless paying to welfare. It hurts me and does nothing for my daughter.

I feel the Family Court had very little consideration for me in regards to why my wife retained custody of the children and what my visiting rights were. In fact, I felt almost as if I were being treated as a common criminal (guilty before proven innocent) my wife deserted me I never deserted her. This is partially what made me take the case to Supreme Court to sue for divorce to get the truth down in black and white and declare my innocence. More consideration should be given to the truth in these matters. I never had one call or one visit from any social worker in regards to my feelings. Furthermore, when I called upon a social worker in regards to this I was again given a pat on the back and some phoney excuses not to make an appointment and a "we're right and you're wrong" attitude from a person who I am sure wasn't as spiritually well equipped as I am because I know he didn't believe in a word he was telling me over the phone. And what he did tell me was wrong because now I have my own proof.

There is no maintenance payments to be made to my ex-wife as she adulterated. However, I do have payments through Family Court for maintenance of a child by an unmarried mother and all questions pertaining to this have been answered with reference to this unmarried mother and not my ex-wife.

When my marriage broke down, I owed $4500. to the bank for a car and motorcycle, $4500 to a holdings company for a half-acre of land and $500 for an encyclopedia. Since then I haven't been able to pay for them. I lost the land, I am trying to sell the encyclopedia. My wife got the car under the condition she would make the payments. She hasn't made one payment. I am trying to sell the motorcycle. The bank has been very good about it, but I am sure it will be a considerable length of time before I could secure another loan.

Why was I and my lawyer given the wrong court date, I had to return with a better lawyer.

As far as I am concerned that doesn't make any difference. The woman has all the rights and they know it. The next thing you know, they throw the men out of the house and the next couple days or weeks they are staying with somebody and the next thing you know you line up in court and the men do not have any say and so they just throw the pill at you and it is the end. For the support money, most of the time that goes on booze and dope and nobody seems to care.

I feel that the courts do not adequately support the ex-husband in any supportive method. Family Court appears to be only concerned with the financial aspect of the divorce. I have not seen two of my children for two years even though I have the legal rights to visit them every two weeks. I had custody of my oldest son for one year and still have custody of him, however, he was encouraged by the ex-wife to return to her and he is now presently back living with his mother. My other child, I saw approximately 4 times before her mother put a stop to the visits. Since my marriage to my current wife, my ex-wife has done everything in her power to discourage and influence the children against me. I have been in constant contact with my lawyer for the past 2 1/2 years in attempts to gain some visiting rights to my children to no avail. The legal system's attitude appears to deny a father any rights to maintain a relationship with his children. However, they do not allow him to forget his financial obligation. No person can tolerate the loss of someone dear to him without a fight, but if everyone (including our legal system) tells him he should no longer have a right to that part of him, he loses his desire to care. He then begins to create a new atmosphere for his hopes and desires. He returns to being "one", to caring for himself and then if his life brings new feelings, he begins to build on that. He develops a desire to work only for what he has, and not for what he has lost. During my marriage, my wife was supported, often encouraged, to leave the marriage and take the children, by social service agencies. Each time this happened, I was not given any information as to my children or my ex-wife's whereabouts. In my case, I feel society helped bring about the demise of my marriage. It is because of this that I feel I don't feel a strong sense of responsibility to the support of these children. I feel that I should be compensated by society for the four lives they have stolen from me. It appears too easy for women to say "I want a father for my children, but not the father they have". They also find it easy to get doctor's certificates, lawyers, legal aid and economic aid to help them in this situation. All this is basically denied to the man. It is our society statement that we must work for what we get. It is only normal for a person to expect this to be upheld. When a person pays maintenance, he would like to see his children. We are soon going to have a society created solely of mothers and children - no fathers. With 3 out of 5 marriages breaking up and society asking nothing more of men than financial support, it seems that the breakup of marriages will increase more. Girls will see no men influencing their lives and boys will decide to opt out of any permanent relationship. Our hope for these 4 children is to see them

continued

grow and mature into stable, healthy, contented adults who live up to their responsibilities and find happiness. We want them to have the opportunities afforded those with a stable environment, and the self assurance given to those with a happy and united home. There is not a child who does not need the reassurance of knowing he has caring parents. Moreover, it is becoming more obvious that all children yearn to know their father and mother. Although it is an uphill battle to convince the courts to do something concrete regarding the custody and visitation rights, I have not given up. Hopefully, my case will go to the Supreme Court once again and something positive will result. It is my hope that the court will make a positive move towards allowing me to see my children without fear that my ex-wife can influence the children against seeing me. They must make her agree to allowing these visits. At present, I have the legal right to visit the children but to do so puts much emotional strain on the children. Because I love them, I will not force any such visits on them. This form has been delayed because of the amount of emotions involved. I feel very frustrated and depressed about the situation and it is very hard to discuss it.

I have contradicted myself in a couple of spots. This is due to my moving to a different province (3) last year and my salary varied from $1300. down to $800. a month. When we separated I did the best I could to make my payments to her and pay the outstanding bills but could not always make it.

Divorce courts and Social Services should be shoved up someone's rectum.

I feel all men get the bad end of all court cases or at least 98%. I also think the system should be changed to make it fair for both sides not just the females of our society.

My ex-wife remarried 8 years ago, I cannot see my kid, her new husband gets too mad, they changed her name (not legally). My ex-wife went to court in 1977 and I was not made aware of this, for further time extension.

I think the law should look into the side of the man. Because a lot of the time the wife is responsible for the breakdown, like it was with me.

Nothing I have to say would change your fancy rules and systems. It has not always been this way and I feel assured that it will not always remain this way.

I paid my maintenance order while my wife was single but I feel her spouse is making enough to support her and I don't know if it would go to the kids or even if I'm still supposed to be paying.

My ex-wife is also responsible for the marriage breakdown.

I wasn't prepared to get married.

Although my wife and I are presently separated we agreed on the financial arrangements amicably and without the help of lawyers or the courts. We may eventually get back together.

I think that the legal proceedings for my divorce were very fair but very expensive and time consuming.

I feel that she and her common-law husband should support the children. If I were to get custody, I would fully support and care for them. Her common-law is fully employed and is able to support them. I also feel I pay enough income tax to support them. As I am unable to claim my present spouse.

Not compatible with wife.

Ex-wife has full capacity for self employment but remains on welfare.

We just couldn't get along and live together. Hope this helps. If you live with someone for as long as I did (married 40 years) you have to take care of them. I feel it is my responsibility and I intend to do what is fair.

My wife abandoned my son and I feel I should have immediate custody. It has been over a year and the courts and lawyers keep delaying the proceedings. I feel this is not fair and also hard on my son. During separation you are unable to charge your own wife for in my experience these items: breaking and entering, forging of a cheque and theft.

Maintenance should not be paid to a spouse who is in good health. Should always pay for the children. Too long for decree nisi to be varied.

I feel like I was writing a test and not answering a questionnaire.

Feel that I should not have to support my wife since it was her decision to separate.

Would like to see my children more often. Get to see children only about three times a year. Children in Grande Prairie.

Question 53 is discriminating by insinuating that the man always supports the new partner and her dependents which is not always necessarily true. The Bar Association should clamp down on lawyers that do not fully explain all the alternatives to the respondent and what would happen if such an alternative course of action was taken.

I think it would be better (although difficult to accomplish) to allow not only for financial responsibility but also for involvement in the upbringing of the children in any agreements.

I would like to know a few details pertaining to visiting rights.

In some cases payment to mothers is not enough.

It is felt that the courts are very lenient with the females. Marriage is a two way street not one. The courts are geared only to look at one scale including children, payments to them and almost anything they want. It should be a 50-50, as usually it takes two to make or break it.

Divorce proceedings move too fast in Alberta. Settlements as a result may be "volunteered" by the "guilty" party or the one leaving the marriage. They may be based on a guilt debt to be paid, is based on emotions and not too businesslike. Longer period of time would result in much more reasonable settlements in my estimation.

We are happy with the arrangements we have worked out.

I would like to know why when a woman leaves a man with children she is not obligated to pay any monies towards support of children left behind.

I feel that since my wife earned ten thousand dollars in the year previous to our separation, that she should be able to support herself and the children without my assistance on a forced court order. This does not mean that I would not help in this matter, but I feel forced and therefore disagree with the present system.

I am willing to take custody of the child, but am also aware that the court would be more in favor or my ex-wife's custody although I am once again in a family situation. I have a child in my new relationship since my divorce. I feel that since my ex-wife wants the custody and responsibility of the child, that she should then let me make a new life for myself and my new family. I love my son, but also for this reason, do not want to be pulling him back and forth from one parent to another. This questionnaire is too general to really express all my views.

There does not appear to be fairness or reasoning in the way lawyers or judges or even the agencies involved in divorce cases, treat the man involved. This includes custody, property ownership, blame for the break-up, anything.

Ex-wife was capable of working at time of legal separation to support herself. I feel that I should not have to pay any maintenance or support.

The $300 I pay each is for my children. My wife is bright and capable and has a good job. She does not expect me to support her.

I have had bad trouble with my ex-wife about visiting privileges.

When we separated I gave everything to her in support of children. She had a good job. I left her with $3000 left on a mobile home. I took over all bills and she was to refinance trailer for $75.00 per month. She had own car plus property. She sold it all and bought a new town house which she upgraded and a new car. I feel that with careful management she should have been in a good position to maintain herself and the kids. I know at times as we all do, we hit hard times due to illness or mismanagement, but she has never let me know if she is having trouble. She is a proud woman. Currently she has made herself a basement suite in her mother's home in Kelowna B.C. We do not communicate that much so do not know how she or kids are. I feel at times that the $150.00 per month is required and other times not, in other words my feelings are mixed. I realize that to a degree I have a responsibility but also realize that I have a right to live.

I was sympathetic towards my wife's feminist interests. We split the household chores 50;50 I took as much care for one child as she did. So far so good. Then, however, I was outmanoevered in my efforts to work out a co-parenting scheme (50:50). My wife simply knew what courts are biased towards women when it comes to custody. Typically Albertan (esp. Calgarian). This questionnaire addresses money matters o.k. When comes the reform of custody matters.

Some of the questions are not pertinent for me because we have no maintenance problems. Also, our children are young adults. The terms of our divorce were agreed to by me and my wife without any lawyers assistance. The court approved our terms and granted the divorce.

Because my kids are mine not theirs. I raised them from 2 weeks old by myself until they were 2 years old. I also don't see why I can't raise them myself for the rest of their lives. At least I love them as my own kids. That is one hell of a lot more than I can say for my ex-wife. She doesn't love them at all, she never did.

Stick it.

I have had 4 foster children under my care for 9 years. I treated them as if they were my own. Since we are divorced I still love them the same. That includes my own kids from my first marriage. I would like to see the law changed so that a father could keep his children instead of the mother in this case the mother did not care for her kids.

If my ex-wife were to remarry, I would cease maintenance payments but I would still want to see them and take them out occasionally.

I'm for equal rights for women, therefore, I feel I should be receiving maintenance.

I feel everything is too easy and the law enforcement of payments is a joke.

Mutually agreeable payments. Both have a reasonable standard of living.

As mentioned in Question 56, I feel my child maintenance order is too high. In comparison, I find most are paying anywher from $75.00 to $125.00 per month per child. In an effort to terminate the marriage quickly, I offered all the assets of 10 years of marriage to my wife. After all liabilities were taken care of, those assets amounted to approximately $45,000.00. House, car, furniture, etc. My ex-wife is a trained bookkeeper with a gross yearly income of approximately $15,000. All this being taken into account, I feel the court ordered child maintenance was a bit too high.

I do not feel that women should have the corner on children's custody. Nor do I feel that they should automatically get the house and furnishings because of the above and maintenance to them personally if they are employed full time.

If I decided not to pay maintenance I feel I could get away with not paying and no one (not even the law) could force me to pay. I feel it is easy to get around laws that are intended to make me pay maintenance.

I was in a car accident Sept. 7/77 and have been unable to work since. Social Service is paying my medicare and gives me a monthly cheque for $169.00 to help pay for my necessities. My ex-wife has agreed out of court that I would pay her $100 per month if and when I have it.

Contrary to the comments commonly seen in the press, it would seem to me that the female is most often given all or almost all of the assets accumulated by the separating couple. This area particularly when the female is, or is capable of, supporting herself should be reviewed.

I feel that the money that is paid to my ex-wife each month does not go to upkeep of the children's lifestyle. They are never dressed decently and they seem to be left to their own devices quite often. The children are 11 and 9.

This gets a little personal where it is not necessary.

I would like to see an open agency for information on marriage break-up. Either free or inexpensive. This agency should include marriage counsellers and legal counsellers.

It would be interesting to know what she does with her money.

This questionnaire does not really apply to me as I am required to make only child support payments and not maintenance support for my wife.

The one that wanted the divorce should pay for it and no subsistance should have been forced on me.

Both my ex-wife and myself as far as I know are in agreement with our divorce. She does not value property much and was quite happy to sign over her share to the children. I paid her about $2000 to tide her over till she got a job. She is a near Ph.D. with lots of earning potential and now makes about $800 per month teaching English as a foreign language part-time plus $400 per month from other sources.

That a woman under the circumstances of the divorce be given custody of the children without much or little concern for myself. I have not seen the children since last Xmas. I made the mistake of admitting I was solvent financially however, it took just this amount to get out of this nightmare. A lot of this money I had set aside for their university education but it took it all.

Initally maintenance amounted to half of my take home pay - really barely enough for the children although their mother had a mortgage free home. At that time left me in near poverty while I still needed to maintain myself re employment etc. There was a "ransom" factor ie. custody, was to my ex-wife since "the children always go to the mother" and I therefore really had no option but to pay maintenance to her.

Over and above support payments I paid $450 a month until her present marriage to cover mortgage payments. I also signed over 100% title of the $95,000 home and accepted 100% responsibility for payment of more than $12,000 of her personal debts. These debts have now all been paid.

I had a restraining order put on me and ex-wife moved out of base accomodation. I continually tried through lawyer to get my personal belongings to no avail. I ended up with just my uniforms, not even my civilian clothing. Certainly depressing when you lose all your momentos from your service life plus all the sports trophies during your younger life. One should receive personal belongings whether separation is friendly or unfriendly.

A spouse should not be forced to pay full maintenance if his ex-wife is fully capable of supporting herself if she chose to do so. She shared in the benefits of the marriage and therefore should share in the liabilities as well.

I think the judicial system sucks. The one who works through the whole marriage gets nothing. The only thing I got from my first marriage was my clothes and a lot of bad debts. She got the house, furniture, and everything else I had paid for. Totally unfair.

A parent who can walk out on the children should never be awarded their custody. Social services have too much authority not enough ability or consideration for the children.

The court hearing as they called was to sentence me irregardless of anything that they did not let me say and they arrange the laws to suit them and not the people.

I do not agree with the legal system forcing the paying of maintenance because: I gave her my share of the $75,000 equity (house), I need to start a new life based on my ability to perform financially, I am wide open to constant increases skimming off any extra cash I might have of which an affidavit for a request of $900 is pending (per month), She literally kicked me out, I do not feel she made a sincere effort to make the marriage work, therefore I think it is up to her to make her own life financially and emotionally, because of the children only, I would like to help out but I do not think it should be legally binding.

There should be better access laws for visiting rights to see the children and a stronger hand in their upbringing. Division of property should be 50/50 no matter who has custody of the kids. Child support should be based on a percentage of your earnings so that you can be able to start a new life with someone else.

I feel that the laws of Alberta find that the male party is solely responsible for marriage breakup. Thus, the male party gets the short end of the rope in court every time. The courts only look at one side of a marriage. When you walk into a marriage it was a partnership but when you walk out of marriage the male is at fault. When I walked into court I felt my hands were tied. I haven't the money to carry on my new family and give her $75 a month as well. If she hasn't the money to keep our child, I will give him a good home for less than $75 a month.

The amount of maintenance should be based on what a person can afford instead of having set prices for everybody. The wife should have to pay for her own legal fees. Then maybe she would think twice before walking away from a marriage. The laws are too good to the women as they are.

The child is now 19 years, and resides in my home, so I no longer pay maintenance.

I think the question of present day salary when compared to support payments of today doesn't give a true picture of the financial hardship which was endured back 10 to 15 years ago. At the present time I am still making regular monthly payments and intend to continue until December of 1980. All three of my children from my marriage are over 18 years of age and are working.

I feel that the government should do something to force the ex-wives to get a job and support themselves. The total support of children is to be split between ex-partners. Social assistance does nothing to instill desire to work, when they take most of the money the person is receiving, when trying to get back into the work force.

I never did get my decree nisi when property is divided equally I do not think the ex-wife should be given a lump sum of money. It should be given to the court and awarded as needed.

I think marriage is bullshit.

I now have my own family to take care of and am living a decent life. I would like to be left alone regarding maintenance payments as she left on her own accord and the kids weren't mine to begin with and the real fathers aren't paying. So as I said before, I feel the whole thing is a rip-off.

I was not very wise in taking the marriage step at this point in my life.

I still feel that I am partly responsible for the support of my two children. However, I should not be responsible for the support of my ex-wife since I am now married. Due to a third child involved from my ex-wife and a relationship she has had with another man, I strongly feel the child should not carry my surname.

Poor impersonal system dealing with poor personal person with Harley Davidson motorcycle. Maintenance is high.

I have revised some of my answers to be more realistic of the situation. When I was divorced the court ordered me to pay $150.00 per month maintenance. At that time I was only taking home $375.00 which allowed me very little to live on. This I thought was unfair. The man my wife is living with could provide a very good standard of living for my ex-family, and does, but only for my ex-wife. In the past few months, my ex-wife has been badgering me for the money, which I always pay.

It is too late for me now. But in the future time the court should not reject either the mother or father to see their children.

He doesn't feel there is enough information given at the time of his divorce (about legal proceedings) and felt it was a very impersonal process.

As I grow older, and become unable to work or fall in ill-health, what would happen to the court order as I don't have any money saved for retirement.

My son has lived with his maternal grandparents since our separation in 1969. His grandmother called me on three different occasions to complain that she was not receiving any of the money I was sending my ex-wife for my son's support. My ex-wife's boyfriend also called me once complaining that my cheque was late, and that they had been planning on it to go away for the weekend. I took my case to the Supreme Court to have my support payments sent directly to my ex-mother-in-law, but lost.

I feel that the courts are unfair with their judgements - inasmuch as they don't analyze the facts before making their judgements.

I am not the blood father of the children. I am forced by a court order to support.

It has only been recently that my situation has improved to the point that I can make my support payments generally on time and for the full amount. I was for a time, in arrears and taken to court. I was amazed at that time of the attitude of the court. They felt that we should basically liquidate anything we had to make the arrears up, and that my wife should get a better job. Nothing was ever said about the possibility of my ex-wife and her partner possibly trying to improve their lot so they wouldn't be in such a poor position and dependent so much on my payments. The whole system is somewhat ridiculous. The fact that a divorce takes place in a criminal court suggests that it is a crime that two people make a mistake and one or the other decides to try and change things.

I wish that both partners receive half and half of everything. I didn't get it.

Since my original divorce I have not failed in my maintenance payments nor alimony since June 1966. I am now paying back into pension fund, back time on pensionable military and government service to bring my pension up to a reasonable living amount. And, also just recently suffered a massive cerebral.

My wife will not communicate with myself and has moved to Vancouver, therefore, I cannot see my children as often as I would like due to the expenses of travel.

I do sincerely believe that the children of a marriage should not be the suffering victims following a separation or divorce and that it should be the responsibility of both parents to provide for their welfare. I also feel that the courts or special agencies should strictly enforce the support from either or both parents to provide the best possible living conditions for the victimized children.

On separation, decided together how much partner needed to keep up and that is what we did as to financial arrangements. Then progressively withdrew support, as pretty well mutually agreed.

Maintenance payments were mutually agreed to by myself and ex-wife and were simply ratified and not determined by the Court. I feel it is my responsibility to support my children until they become adults however, I don't feel it my responsibility to make payments to ex-wife after children have reached majority. I believe payments to wife should be time limited and of sufficient deviation to allow wife to get trained (or retrained) if she has been out of the job market for some time. This questionnaire does not investigate division of property issues as part of maintenance/settlement. For example, in my case my wife was given the house.

I would like to see equality.

I don't want the government to fully support my ex-family. When my son is of age, I would contest any further payments in court.

APPENDIX E

CANADIAN INSTITUTE FOR RESEARCH
IN THE BEHAVIORAL AND SOCIAL SCIENCES
109 Brentwood Professional Building, 3501 Charleswood Drive N.W.
Calgary, Alberta T2L 2C2 Phone: (403) 282-9401

THE INCIDENCE OF PAYMENT/NONPAYMENT OF MAINTENANCE ORDERS

QUESTIONNAIRE FOR MEN

Dear Respondent:

Thank you very much for your help in answering this questionnaire.

Most of the questions simply require you to circle the number beside the answer you wish to make. For example:

How long have you lived in Alberta?

one month or less ---------------------------------- 1
one to two months ---------------------------------- 2
three to six months -------------------------------- 3
seven months to a year ----------------------------- [✓ 4]
one to three years --------------------------------- 5
more than three years ------------------------------ 6

If you have lived in Alberta for, say, ten months, you would circle the number 4 as in the example.

There are a few questions which ask you to write in your answer. There is space provided for this.

There are some questions for which you may not know the exact answer. For example:

When did you cease to live together? ________ month ________ year

If you do not remember the exact month, a good guess will do.

Please note the instructions which are underlined or put in boxes like this:

18. Did you have any children from this marriage?

yes ---------------------- 1
no ----------------------- 2

IF YOU DON'T HAVE ANY CHILDREN, GO TO QUESTION 24

(1)				(5)

1
(6)

(for office use only)

1. How long have you lived in Alberta?

One month or less ---------------------------------- 1
One to two months ---------------------------------- 2
Three to six months -------------------------------- 3 (1)
Six months to a year ------------------------------- 4
One to three years --------------------------------- 5
More than three years ------------------------------ 6

2. How far did you go in school/university/college?

Grade 7 or less --------------- 1
Grade 8 or 9 ------------------ 2
Grade 10 or 11 ---------------- 3
High school graduate ---------- 4
College certificate or diploma ----------- 5
Some university courses ------------------ 6 (8)
Bachelor's degree ------------------------ 7
Professional degree, MA or PhD ----------- 8

3. What is your age? ______________ (9,10)

4. What is your job status at present?

Self-employed -------------------------------------- 1
Employed full time --------------------------------- 2
Employed part time --------------------------------- 3
Employed in a seasonal occupation ------------------ 4
Full-time student ---------------------------------- 5
Unemployed --- 6 (11)
Other (specify) _________________________ --------- 7

5. IF YOU ARE EMPLOYED, what is your job? ________________________________ (12,13)

6. What percentage of the time since your separation/divorce have you been employed on a full-time basis?

100% ----------------------------- 1
75-99% --------------------------- 2
50-74% --------------------------- 3
25-49% --------------------------- 4
1-25% ---------------------------- 5 (14)
I haven't been employed ----------- 6

7. What is your major source of income?

Earnings from self-employment -------------- 1
Wages/salary -------------------------------- 2
Investments --------------------------------- 3
Unemployment Insurance --------------------- 4
Social assistance --------------------------- 5 (15)
Other (specify) ____________________ ------ 6

8. What do you estimate your income, before taxes, from January 1, 1979 to December 31, 1979 to be? (Include all sources)

Up to $5,000 ------------------ 1
$5,001 to $10,000 ------------- 2
$10,001 to $15,000 ------------ 3
$15,001 to $20,000 ------------ 4
$20,001 to $25,000 ----------------------- 5
$25,001 to $30,000 ----------------------- 6
Over $30,000 ----------------------------- 7

9. What is your average take-home income per month?

$____________________ (17, 18, 19, 20)

10. Do you own your own home?

Yes ------------------------------- 1
No -------------------------------- 2 (21)

11. What do you pay per month in mortgage or rent? $________________ (22, 23, 24)

12. About what are your average monthly payments for outstanding debt, including loans from banks or loan companies, credit cards, department store accounts, and so on?

$____________________ (25, 26, 27)

13. How many children do you claim as deductions for tax purposes? __________ (28)

14. How many other dependents can you claim for tax purposes? ______________ (29)

☐ (30,31)

15. Are you divorced, formally separated or just separated? (To be formally separated, you would have had to have registered the separation in court.)

Divorced -------------------------- 1
Separated ------------------------- 2 (32)
Formally separated ---------------- 3

16. When were you married? ________ month ________ year

17. When did you cease to live together? __________ month __________ year

18. When were you divorced or formally separated? __________ month __________ year

☐	☐	☐	(33,34,35)
☐	☐	☐	(36,37,38)

19. Were you divorced or separated in Alberta or outside the province?

Alberta --------------------------	1	(39)
Outside --------------------------	2	

20. Did you have any children from this marriage?

Yes ------------------------------	1	(40)
No -------------------------------	2	

IF YOU DIDN'T HAVE ANY CHILDREN, GO TO QUESTION 26

21. How many children did you have? ______________ (41)

22. Who was awarded custody of your children?

You ---------------------------	1	Social agency ------------------------	4	(42)
Your wife ---------------------	2	Both you and your wife ---------------	5	
Other family relation ----------	3			

23. Were access arrangements specified by the court? (43)

Yes ------------------------------	1
No -------------------------------	2

24. Do you allow, or are you in fact allowed, access to your children?

Yes ------------------------------	1	(44)
No -------------------------------	2	

25. Are you satisfied with the access arrangements for your children?

Yes ------------------------------	1	(45)
No -------------------------------	2	

26. What was your marital status at the time of your marriage to your ex-wife?

Never married before --------------	1	(46)
Divorced --------------------------	2	
Widower ---------------------------	3	

27. Is your maintenance order from the Family Court, the Supreme Court, or is it voluntary?

Family Court ---------------------- 1
Supreme Court --------------------- 2 (47)
Voluntary ------------------------- 3
Don't know ------------------------ 4

28. IF IT WAS FROM FAMILY COURT OR SUPREME COURT, were you represented by a lawyer?

Yes ------------------------------- 1
No -------------------------------- 2 (48)

29. Was your maintenance order made in Alberta or outside of Alberta?

In Alberta ------------------------ 1 (49)
In another province --------------- 2
Outside of Canada ----------------- 3

30. IF YOUR MAINTENANCE ORDER WAS MADE OUTSIDE OF ALBERTA, is the order currently being enforced by a court in Alberta?

Yes ------------------------------- 1
No -------------------------------- 2 (50)

31. What is the monthly payment on your maintenance order? $ ______________

☐☐☐☐ (51,52,53,54)

32. Are you currently behind in your payments of the maintenance order?

Yes ------------------------------- 1 (55)
No -------------------------------- 2

33. (a) How were the payments to be made?

Direct cheque ------------------------------------ 1
Deposited in ex-wife's bank account -------------- 2
Through Family Court - ordered payment ----------- 3
Through Family Court - voluntary payment --------- 4 (56)
Through Social Services Department --------------- 5
Not specified by court --------------------------- 6
Don't know --------------------------------------- 7

33. (b) Was this arrangement satisfactory?

Yes ------------------------------ 1 (57)
No ------------------------------- 2

(c) IF NO, why not? ____

____

____

____ (58)

____

34. (a) Do you think this amount is fair to you?

Yes ------------------------------ 1 (59)
No ------------------------------- 2
Don't know ----------------------- 3

(b) Do you think this amount is fair to your ex-wife?

Yes ------------------------------ 1
No (too much) -------------------- 2 (60)
No (too little) ------------------ 3
Don't know ----------------------- 4

(c) Do you think that the order was fair to your children?

Yes ------------------------------ 1
No ------------------------------- 2 (61)
Not applicable ------------------- 3
Don't know ----------------------- 4

(d) Do you think that the order was based on your earnings?

Yes ------------------------------ 1
No ------------------------------- 2 (62)
Don't know ----------------------- 3

(e) Do you think that the order was based on your ex-wife's need for support?

Yes ------------------------------ 1
No ------------------------------- 2 (63)
Don't know ----------------------- 3

34. (f) Have you approached any agency to have the payments increased or decreased?

Yes (Supreme Court) --------------- 1
Yes (Family Court) ---------------- 2
No -------------------------------- 3 (64)

(g) IF YES: Do you feel that the agency helped you?

Yes ------------------------------- 1
No -------------------------------- 2 (65)

35. Who do you think should be responsible for the support of your ex-wife?

Yourself ----------------------------- 1
Your ex-wife should support herself --- 2 (66)
The government ----------------------- 3
Don't know --------------------------- 4

36. Who do you think should be responsible for the support of your children?

Yourself ------------------------------------- 1
Your ex-wife should support the children ------- 2
Both yourself and your ex-wife ---------------- 3 (67)
The government ------------------------------- 4
Don't know ----------------------------------- 5

37. How many months in the past year have you paid your maintenance order?

12 months --------------------- 1
10 to 11 months --------------- 2
8 or 9 months ----------------- 3
6 or 8 months ----------------- 4
3 to 5 months ------------------- 5
1 to 2 months ------------------- 6
Haven't paid -------------------- 7

38. How much of the maintenance order do you pay?

Always pay the full amount -- 1
Usually pay the full amount --- 2
Usually pay most (over three-quarters) of the amount ----------------- 3 (68)
Usually pay between half and three-quarters of the amount ----------- 4
Usually pay something but less than half of the amount -------------- 5
No payments --- 6

39. How promptly do you pay?

Always by the date prescribed -------------- 1
Usually by the date prescribed ------------- 2 (69)
Usually within a week ---------------------- 3
Usually more than a week late -------------- 4
No payments -------------------------------- 5

☐☐ (70,71)

40. What is your ex-wife's current employment status?

Not working --------------------------------- 1
Employed full time -------------------------- 2
Employed part time -------------------------- 3
Employed in a seasonal job ------------------ 4 (72)
Other (specify) ______________________ ----- 5
Don't know ---------------------------------- 6

41. What is her major source of income?

Employment ---------------------------------- 1
Maintenance award --------------------------- 2 (73)
Unemployment Insurance ---------------------- 3
Social assistance --------------------------- 4
Present spouse's income --------------------- 5
Other (specify) ______________________ ----- 6
Don't know ---------------------------------- 7

42. About how much do you think your ex-wife's income, before taxes, will be in 1979?

Up to $5,000 ------------------- 1 $20,001 to $25,000 -------------- 5
$5,001 to $10,000 -------------- 2 $25,001 to $30,000 -------------- 6 (74)
$10,001 to $15,000 ------------- 3 Over $30,000 -------------------- 7
$15,001 to $20,000 ------------- 4

43. Does she own a home?

Yes -------------------------------- 1 (75)
No --------------------------------- 2

44. Does your ex-wife currently have a permanent relationship with another person?

Yes (married) ------------------------- 1
Yes (unmarried but living together) ---- 2
No ------------------------------------ 3 (76)
Don't know ---------------------------- 4

IF YOUR EX-WIFE DOES NOT HAVE A PERMANENT RELATIONSHIP,
OR IF YOU DON'T KNOW, GO TO QUESTION 49.

45. When did that relationship begin? __________ month __________ year (77,78)

46. Has she had any children from this relationship?

Yes -------------------------------- 1 (79)
No --------------------------------- 2

46. (a) IF YES: How many? (specify) ______________ (80)

47. Did your ex-wife's partner bring any children to the relationship?

Yes ------------------------------ 1 (1 to 6)
No -------------------------------- 2 (7)

48. How do you feel about your ex-wife's marriage/relationship?

Good ------------------------------ 1 (8)
Bad -------------------------------- 2
Indifferent ----------------------- 3
Don't know ----------------------- 4

49. Do you now have a permanent relationship with another person?

Yes (married) ------------------------------ 1 (9)
Yes (unmarried but living together) -------- 2
No -- 3

IF YOU DO NOT HAVE A PERMANENT RELATIONSHIP,
GO TO QUESTION 56.

50. When did the relationship begin? __________ month __________ year (10,11)

51. Do you have any children from this relationship?

Yes ------------------------------- 1
No -------------------------------- 2 (12)

(a) IF YES: How many? (specify) ______________ (13)

52. Are you supporting any children from your partner's previous relationship?

Yes ------------------------------- 1 (14)
No -------------------------------- 2

(a) IF YES: How many? (specify) ______________ (15)

53. What is your partner's major source of income other than the support you provide?

Earnings from self-employment -------------- 1
Wages/salary -------------------------------- 2 (16)
Investments --------------------------------- 3
Unemployment Insurance --------------------- 4
Social assistance ---------------------------- 5
None excepting my support ------------------ 6
Other (specify) ______________________ ---- 7

54. What do you estimate your partner's income to be in 1979?

No income -------------------- 1
Up to $5,000 ----------------- 2
$5,001 to $10,000 ------------ 3
$10,001 to $15,000 ----------- 4
$15,001 to $20,000 ----------- 5
$20,001 to $25,000 ------------------ 6
$25,001 to $30,000 ------------------ 7
Over $30,000 ------------------------ 8
Don't know -------------------------- 9 (17)

55. What is your partner's monthly take-home pay? $_____________ (18,19,20,21)

THIS SECTION ONLY APPLIES TO THOSE WHO HAVE ALWAYS PAID THEIR MAINTENANCE ORDERS IN FULL WITHIN A WEEK OF THE DATE PRESCRIBED. IF YOU HAVEN'T, GO TO QUESTION 57 ON THE NEXT PAGE.

The following statements are reasons people have given for paying their maintenance orders. Based on your feelings or experience, say whether you agree or disagree with the statement as it applies to you. If you are not sure, or the statement does not apply to you, please circle the appropriate number.

	Agree	Disagree	Don't Know	Doesn't Apply	
56. (a) I still feel responsible for my ex-wife.	1	2	3	4	(22)
(b) I still feel responsible for my children.	1	2	3	4	(23)
(c) I still feel close to my children.	1	2	3	4	(24)
(d) My ex-wife's standard of living is lower than mine.	1	2	3	4	(25)
(e) Legal proceedings might force me to pay.	1	2	3	4	(26)
(f) I feel responsible for the marriage breakdown.	1	2	3	4	(27)
(g) I would not like to see my ex-wife being supported by social assistance.	1	2	3	4	(28)
(h) A court order might force deduction of maintenance payments from my wages/salary.	1	2	3	4	(29)
(i) I may be imprisoned for nonpayment of a maintenance order.	1	2	3	4	(30)
(j) My ex-wife is always after me to pay.	1	2	3	4	(31)
(k) I do not want to damage the remaining family goodwill.	1	2	3	4	(32)

56. (1) Would you please write down in the space provided the most important reason for paying your maintenance order.

(33)

THIS SECTION ONLY APPLIES TO THOSE WHO HAVE NOT PAID THEIR MAINTENANCE ORDERS ON OCCASION OR NOT AT ALL. IF YOU HAVE ALWAYS PAID ON TIME, GO TO QUESTION 58 ON THE NEXT PAGE.

The following statements are reasons people have given for not paying their maintenance orders regulary or promptly. Based on your feelings and experience, say whether you agree or disagree with the statement as it applies to you. If you are not sure, or the statement does not apply to you, please circle the appropriate number.

	Agree	Disagree	Don't Know	Doesn't Apply	
57. (a) I can't afford to pay the maintenance order.	1	2	3	4	(34)
(b) I feel that the money paid for my children just goes to my ex-wife.	1	2	3	4	(35)
(c) My ex-wife spends the maintenance money foolishly.	1	2	3	4	(36)
(d) My ex-wife has enough money to support herself.	1	2	3	4	(37)
(e) My ex-wife has enough money to support herself and the children.	1	2	3	4	(38)
(f) My standard of living is lower than my ex-wife's.	1	2	3	4	(39)
(g) My ex-wife agrees that she no longer needs maintenance order payments.	1	2	3	4	(40)
(h) I never get to see my children.	1	2	3	4	(41)
(i) I no longer feel close to my children.	1	2	3	4	(42)
(j) I provide for my children in other ways (e.g., holidays, special lessons, caring for them a lot of the time).	1	2	3	4	(43)

		Agree	Disagree	Don't Know	Doesn't Apply	
57.	(k) My ex-wife was responsible for the marriage breakdown.	1	2	3	4	(44)
	(l) I would pay if I were reminded immediately after missing a payment.	1	2	3	4	(45)
57.	(m) I would pay if there were legal proceedings to force me to pay.	1	2	3	4	(46)
	(n) I would pay if the amount of the maintenance order were deducted from my wages/salary by court order.	1	2	3	4	(47)
	(o) I would pay if I were threatened with imprisonment.	1	2	3	4	(48)
	(p) I would pay if I were sure that the money went to my children and not my ex-wife.	1	2	3	4	(49)

(q) Would you please write down in the space provided the most important reason for your not paying your maintenance order every month.

____

____ (50)

____

58. If you have anything further you would like to bring to our attention, please write it in the space provided.

THANK YOU VERY MUCH FOR YOUR HELP! (51,52,53,54)

STUDY OF DEFAULTERS

TECHNICAL REPORT

STUDY OF DEFAULTERS

Technical Report

1.0 Introduction

According to the Steering Committee, one of the contentions of the court system in Alberta is that defaulters are very difficult to trace as a group. As effective enforcement by the courts of maintenance orders is predicated upon locating the defaulters, the issue was of central concern to the Committee.

The study of defaulters is divided into two parts: (1) an effort to trace a random sample of defaulters in Calgary and Edmonton and (2) a small scale survey of the opinions and experiences of defaulters which had been traced.

2.0 Objectives

There were three objectives to this study:

(1) to determine the proportion of defaulters who could be located; (a) by standard means (e.g. telephone directories, Henderson's Directory, Motor Vehicle Licensing Branch), (b) by the tracing facilities of the Department of Social Services and Community Health and, (c) by a professional tracing agency

(2) to determine the level of difficulty experienced by the tracing agency in its effort to locate the defaulters

(3) to collect data on the experience and opinions of of located defaulters. This data was meant to compliment data collected in the Survey of Men.

3.0 Methodology

3.1 Sampling

3.1.1 Original Sample of Defaulters

The population of defaulters was defined as all cases in the Calgary and Edmonton Family Courts which showed no evidence of payment from November 1979 until March 1980. In Edmonton 150 cases and in Calgary 136 cases were sampled randomly; the sampling was concerned with the sampling for the Family Court Records Study.

3.1.2 Sample of Defaulters Surveyed

A total of 103 defaulters were traced by C.I.R. researchers and contacted by telephone. They were asked if they would be willing to co-operate by filling out a questionnaire. Thirty-eight questionnaires were received giving a response rate of 42%.

3.2 Research Procedures

3.2.1 Tracing Procedures

There were three basic steps followed in the tracing:

(1) C.I.R. researchers used the names and addresses gained from Family Court files to start. They first attempted to find the men using telephone directories, directory assistance and Henderson's Directory. Names which could not be traced using these methods were referred to the Motor Vehicles Licensing Branch. If the M.V.L.B. addresses were different from the Family Court files,a second attempt was made to locate the person using telephone and Henderson's directories. A person was only considered to be traced if the researcher actually talked to him.

(2) Names that were not definately traced by C.I.R. were submitted to the Missing Persons Branch of the Department of Social Services and Community Health. The Branch then attempted to trace these people, although constraints on time and staff did not allow them to work on about half of the, at that time, untraced Calgary sample.

(3) A random sample of 100 names which had not been traced in the first two steps were then submitted to a professional tracing agency.

3.2.2. Procedures Used in the Survey of Defaulters

As stated previously, the people who were traced by C.I.R. researchers were asked to complete questionnaires. They were mailed questionnaires together with postage-paid return envelopes. After a two week period the men who had not returned a questionnaire were contacted again by telephone.

3.3 The Questionnaire

The questionnaire developed for the survey of men was used in this survey.

4.0 Results

4.1 Results of the Tracing Effort

The results of the tracing effort are presented in Table 1.

TABLE 1

Results of the Tracing Exercise

Tracing Agency	Calgary %	Edmonton %	Total %
Traced by CIR	27.2	44.0	36.0
Traced by SS & CH	1.5	20.7	11.5
Traced by Prof. Agency	50.7	17.3	33.2
Untraceable	20.6	18.0	19.2
No. of Cases	136	150	286

The professional tracing agency was asked to indicate the level of difficulty they experienced in tracing the names submitted to them. The results are presented in Table 2.

TABLE 2

Difficulty Experienced by Tracing Agency

Level of Difficulty Experienced in Tracing	Calgary %	Edmonton %	Total %
Easy	65.3	70.0	66.7
Fairly Difficult	15.4	30.0	19.4
Difficult	3.8	-	2.8
Not Stated	15.4	-	11.1
No. of Cases	45	45	90

Before interpreting Tables 1 and 2, a number of factors must be kept in mind:

(1) There is an evident discrepancy between the success rate of the Missing Persons Branch of the Department of S.S. and C.H. in tracing Edmonton and Calgary cases. There is also a corresponding discrepancy of the rate of success of the private tracing agency. The first can be explained by the timing of the submission of names to S.S. and C.H. The names of Edmonton cases which were not traced by C.I.R. were submitted first and those from Calgary, second. Given a shortage of staff in the summer and a heavy workload the Missing Persons Branch was able to do a more thorough search of the Edmonton sample than the Calgary sample. This situation had an effect upon the success rate of the private tracing agency. The Edmonton names tended to be more difficult to locate.*

(2) Both the Calgary and Edmonton lists of names submitted to the private tracing agency were in effect sub-samples of samples. In Calgary the sub-sample was 50.5% of the total number of untraceable people. In Edmonton, the percentage was 84.7%.

(3) There were a number of instances where contact was made with a relative of the person in question (4.4% of the Calgary cases and 2.6% of the Edmonton cases), who said that he had moved out of the country or that he had moved out of the province and his present address was unknown. These cases have not been included among the located cases.

(4) There were a fair number of cases both in Calgary and Edmonton for which the addresses obtained from Family Court files or from the Vehicle Licensing Branch were correct but which C.I.R. researchers could not confirm. These addresses were confirmed by SS & CH or by the private tracing agency. In other words, the person in question either was not at home at the time the researcher telephoned (fair attempts were made), or the person answering the telephone lied, by saying that the person in question had moved.

Given these factors, the evidence of the tracing exercise indicates that nearly three-quarters of defaulters are relatively easy to trace. This percentage is broken down as follows:

36%	located using Family Court addresses or Motor Vehicles Licensing Branch addresses
11.5%	located by SS and CH
22.2%	termed as 'easy' traces by the private tracing agency

TOTAL 69.7%

---

* In addition, the Tracing agency maintained that tracing in Calgary was easier because of the greater precision of lists of residences.

4.2.1.1 Length of Time Resident in Alberta

Almost all of the respondents (97%) had been resident in Alberta for more than three years.

4.2.1.2 Education

The modal category for level of education (30%) was grade 10 or 11. The same number of respondents had less education and 40% had high school education or better. This distribution matched the Survey of Men sample closely.

4.2.1.3 Age

The median age category was 41 to 50 and the mean age was 36.8 years (standard duration: 9.0). This again was not much different than the Survey of Men.

4.2.1.4 Job Status at Present

Over 80% of the sample was employed full-time or self-employed. However, 14% of the sample indicated that they were unemployed; this compares to only 4% of the Survey of Men.

4.2.1.5 Occupation

The most common occupational categories were skilled trades (27%), clerical sales and service (14%) and professional (11%).

4.2.1.6 Percentage of Time Employed since Divorce

Thirty-five percent of the sample indicated that they had been employed continuously since their divorce: this was only about half the proportion found in the Survey of Men.
Nearly a quarter of the sample said that they had been employed for less than half of the time.

4.2.1.7 Net Monthly Income

Over half of the sample reported net monthly incomes of between $500 and $1000. The mean for the sample who reported this figure was $1127 (standard deviation: 489) as compared to $1505 for the Survey of Men.

TABLE 3

Personal Characteristics of the Sample

		%
3.1	Length of time resident in Alberta	(n=37)
	one to three years	2.7
	more than three years	97.3
3.2	Education	
	Grade 7 or less	5.4
	Grade 8 or 9	24.3
	Grade 10 or 11	29.7
	High School Graduate	16.2
	College Certificate or Diploma	13.5
	Some University	8.1
	B.A.	2.7
3.3	Age	(n=36)
	21 to 25 years	8.3
	26 to 30	19.4
	31 to 35	22.2
	36 to 40	16.7
	41 to 50	25.0
	over 50	8.3
	No information	2.8
3.4	Job status at present	(n=37)
	Self-employed	16.2
	Employed full-time	64.9
	Seasonally employed	5.4
	Unemployed	13.5

3.5	Occupation*	(n=37)
	Managerial/Administrative	5.4
	Professional	10.8
	Professional Support	2.7
	Clerical Sales and Service	13.5
	Farming	8.1
	Foreman/oil & gas/mining	5.4
	Manufacturing/construction	2.7
	Skilled trades	27.0
	Unskilled trades	8.1
	Unemployed	16.2
3.6	Percentage of time employed full-time since divorce	(n=37)
	100%	35.1
	75 to 99%	40.5
	50 to 74%	18.9
	26 to 49%	2.7
	1 to 25%	2.7
3.7	Net Monthly Income	(n=33)
	less than $500	6.1
	$501 to 1000	51.5
	$1001 to 1500	27.3
	$1501 to 2000	12.1
	No information	10.8
3.8	New Relationship of Respondent	(n=37)
	Yes (married)	45.9
	Yes (living together)	24.3
	No	29.7
3.9	Children from New Relationship	
	Yes	42.3
	No	57.7
	Not applicable	29.7

* The occupational categories developed by Alberta Social Services and Community Health were used.

4.2.1.8 New Relationship of Respondent

Seventy percent of the respondents reported that they had formed a new relationship since their divorce. Two-thirds of these had re-married and the remainder were living common-law.

4.2.1.9 Children from Relationship

Forty-three percent of those who had formed a new relationship said that they had children from this relationship.

4.2.2. Characteristics Previous Marriage, Divorce and Access to Children

4.2.2.1 Divorced, Separated or Formally Separated

Most (84%) of the sample were divorced.

4.2.2.2 Divorced/Separated in Alberta

Eighty-three percent of the sample were divorced or separated in Alberta.

4.2.2.3 Children from Marriage

All the respondents reported children from the marriage.

4.2.2.4 Access to Children Allowed

Nearly three-quarters (71%) indicated that access to their children was, in fact, allowed.

4.2.2.5 Satisfaction with Access Arrangements

Despite the fact that three-quarters of the sample indicated that access was allowed, half of the respondents indicated that they were disatisfied with the access arrangements.

TABLE 4

Characteristics of Previous Marriage, Divorce and Access to Children

		%
4.1	Divorced, Separated or Formally Separated	(n=37)
	Divorced	83.8
	Separated	13.5
	Formally Separated	2.7
4.2	Divorced/Separated in Alberta or Outside of Province	(n=36)
	Alberta	83.3
	Outside	16.7
	No information	2.7
4.3	Children from Marriage	(n=37)
	Yes	100
	No	-
4.4	Access to Children Allowed	(n=35)
	Yes	71.4
	No	28.8
	No information	5.4
4.5	Satisfaction with Access Arrangements	(n=36)
	Yes	50.0
	No	50.0
	No information	2.7

4.2.3 Amount of Maintenance Order and Payment Record

4.2.3.1 Amount of Order

The mean amount of maintenance orders was $170 (standard deviation: 115). Thirty-four percent of the sample recorded orders of between $101 and $200 per month; 41% recorded orders of less than %100 per month and 25% indicated that their orders were over $200.

4.2.3.2 Number of Months in Past Year that Order was Paid

It should be noted that the original sample was selected on the basis that they had not paid between November 1979 and March 1980. Even allowing for a time lag between the payment of an order and the payment being recorded, none of the sample could have paid their order for more than eight months of the year preceding the survey.

Nonethless,46% of the sample said they had paid far more than eight months of the year. Another 35% said that they had paid their order from one to seven months of the previous year, and 19% said that they hadn't paid.

4.2.3.3 Amount of Order Usually Paid

The majority (60%) said that they always paid the full amount and all of the rest who paid something said that they usually paid the full amount.

4.2.3.4 Promptness of Payment

Fifty-nine percent of the sample said they usually or always paid on the date prescribed. Only 11% said they usually were more than a week late in paying their order.

4.2.3.5 Payment Status

According to Family Court records the entire sample should be either poor payers or non-payers. Nonethless, according to the response 36% of the sample were excellent or good payers. Another 35% were poor payers and only 19% were non-payers.

TABLE 5

Amount of Maintenance Order and Payment Record

		%
5.1	Amount of Order	(n=32)
	$50 or less	9.4
	$51 to 100	31.3
	$101 to 200	34.3
	$201 to 300	12.5
	$301 to 500	12.5
	No information	13.5
5.2	Number of Months in Past Year Order Paid	(n=37)
	12 months	27.0
	10 to 11 months	8.1
	8 to 9 months	10.8
	6 to 7 months	18.9
	3 to 5 months	13.5
	1 to 2 months	2.7
	Non-payers	18.9
5.3	Amount of Order Usually Paid	(n=37)
	Always full amount	59.5
	Usually full amount	21.6
	No payments	18.9
5.4	Promptness of Payment	(n=37)
	Always by Date Prescribed	35.1
	Usually by Date Prescribed	24.3
	Usually within a week	13.5
	Usually more than a week late	10.7
	No Payments	16.2
5.5	Payment Status	(n=37)
	Excellent	16.2
	Fair	29.7
	Poor	35.1
	Non-Payers	18.9

4.2.4 Opinions Concerning Maintenance Order Payments

4.2.4.1 Payment Fair to Husband

The majority (60%) of the sample thought that the maintenance order payment was fair to them.

4.2.4.2 Payment Fair to Ex-Wife

Again,the majority (59%) felt that the amount of the award was fair to their ex-wives. Thirty-eight percent felt it was too much and 22% reported that they didn't know.

4.2.4.3 Payment Fair to Children

Fifty-five percent of the respondents reported that they felt that the payment was fair to their children and 29% felt that it wasn't fair.

4.2.4.4 Order Based on Earnings

Fifty-seven percent reported that they thought the order was based on their earnings and 30% indicated that they didn't think this was the case.

4.2.4.5 Order Based on Wife's Need for Support

The majority (57%) thought that the order was not based on their wife's need for support.

4.2.4.6 Responsibility for Support of Ex-Wife

The respondents were unanimous in their feeling that their ex-wives were responsible for their own support.

4.2.4.7 Responsibility for Support of Children

Nearly two-thirds (65%) of the sample thought that both they and their ex-wives were jointly responsible for the children. Another 24% felt that their ex-wives should be solely responsible for the children.

TABLE 6

Opinions Concerning Maintenance Order Payments

		%
6.1	Payment Fair to Respondent	(n=37)
	Yes	59.5
	No	40.5
6.2	Payment Fair to Ex-Wife	(n=37)
	Yes	58.6
	No (too much)	37.9
	No (too little)	3.4
	Don't know	21.6
6.3	Payment Fair to Children	(n=37)
	Yes	54.8
	No	29.0
	Don't know	16.1
	Not applicable	16.2
6.4	Order Based on Earnings	(n=37)
	Yes	56.8
	No	29.7
	Don't Know	13.5
6.5	Order Based on Wife's Need for Support	(n=37)
	Yes	27.0
	No	56.8
	Don't Know	16.2
6.6	Responsibility for Support of Ex-wife	(n=37)
	Wife herself	100.0
6.7	Responsibility for Support of Children	(n=37)
	Husband	10.8
	Ex-wife	24.3
	Husband and Ex-wife	64.9

4.2.5 Reasons for the Non-Payment of Maintenance Orders and Potential Reasons for Payment

Respondents who had not always been regular in their payment were asked whether they agreed or disagreed with a number of statements concerning reasons for not paying orders as they applied to them. Based on Family Court records all the respondents should have been in this category; however, only 21 respondents or 57% of the sample considered that they were irregular payers. The results are given in Table 7.

4.2.5.1 Reasons for the Non-Payment of Maintenance Orders

Three of the four most commonly mentioned reasons for non-payment related to feelings concerning ex-wives. Nearly two-thirds (62%) of the respondents agreed that the responsibility of their ex-wife for the marriage breakdown and that the money meant for their children went instead to their ex-wife were reasons for irregular payment. In addition,the opinion that their ex-wives spend the money foolishly was given as a reason by nearly half (48%) of the sample.

The third most common reason (mentioned by half of the sample) was that they never saw the children. Inability to afford the payments was ranked fifth (43%),followed by the feeling that the ex-wives had enough money to support both herself and the children (38%) and the opinion that the respondent provides for the children in other ways.

About a quarter of the sample agreed that their no longer feeling close to their children (28%) or that their standard of living was lower than that of their ex-wives (24%) were reasons for non-payment. Fourteen percent maintained that they did not pay because their ex-wife agreed that she no longer needed the money.

TABLE 7

Why Orders Are Not Paid Promptly and Regularly

Why Orders are not Paid Promptly and Regularly	Agree	Disagree	Don't Know	Not Applicable	No Information
		(n=21)			
	%	%	%	%	%
Ex-wife responsible for marriage breakdown	61.9	23.8	4.8	9.5	
Money paid for children goes to ex-wife	61.9	9.5	4.8	23.8	
Never sees children	50.0	35.0		15.0	4.8
Ex-wife spends money foolishly	47.6	9.5	23.8	19.0	
Can't afford to pay the order	42.8	28.6	4.8	23.8	
Ex-wife has enough money to support herself and children	38.1	19.0	42.8		
Ex-wife has enough money to support herself	38.1	9.5	42.9	9.5	
Provide for my children in other ways	35.0	25.0		40.0	4.8
No longer feel close to children	28.6	57.1	4.8	9.5	
Standard of living is lower than ex-wives'	23.8	19.6	52.4	4.8	
Ex-wife agrees that she no longer needs the payments	14.3	38.1	28.6	19.0	

APPENDIX A

Reasons given for Dissatisfaction with Payment Arrangements

Not enough income for the amount of payment

Ex-wife would not let me see the children when I wanted to see them

Agreement was that support would be paid, voluntarily, ex-wife completed her degree at university (B. Music).

Wife's income exceeds my own

Wife did not request financial assistance from me. The government would have refused her social assistance if she did not press for support.

I don't think a man should have to support his ex-wife when she is shacked up with other males. It isn't much fun to go and pick up your son and he doesn't know for sure to call you Dad or by your first name.

The only thing missing in court was the kangaroo suit. Too many details to explain.

Because I feel I worked hard for what I had, and she was the blame I had to sell my land and it left me in a very sad position, no home, nothing. Now I had to start all over and still pay.

Paying out too much money. Wife left me. Do not want to pay.

If I could afford to it would be alright but I can't. There was no mention about being able to see my kids in court. I could see them if my wife is present or parents. But never do I get to take them out. It's not fair.

Making payments through Family Court was satisfactory. However, no satisfaction was received from Family Court re: problems of access to our child.

APPENDIX B

Reasons Given for Paying Maintenance Order Regularly

The fact that it was the amount set by the Divorce Court at the time of divorce, for my ex-wife and five year old daughter.

If our marriage had not ended in divorce my ex-wife and my son would have been completely financially dependent on me.

Wife applied for divorce and her lawyer asked for it.

I am their father.

Have to.

I love my children and don't want them to do without.

Proper welfare of my daughter.

For the children's benefit.

Because the courts ordered me to; as she is living in California.

I was ordered to pay.

Don't want to give up 15 years of career in R.C.M. Police.

Did not want to go to jail. But if they try to make me pay now I will go to jail, no more money not even in the bank.

Just for the kids.

I love my children very much and also they are very close to me. My boys listen to me very closely and they always say mother always get mad, smokes and drinks too much.

The welfare of my children if the money is put towards the children.

For the children.

If I know that my child gains from it. It would be so she could have a better life.

Order by court.

If I don't she will take another trip from Europe to Canada and go to court.

To help to support child.

APPENDIX C

Reasons Given for Not Paying Maintenance Orders Regularly

I have paid for her house! I assumed all our debts. I have one of the children living with me.

Couldn't afford it/Mutual agreement with ex-wife.

The money doesn't go towards the children's welfare its goes to her bank account.

I was left with all bills from this marriage, she has had two inheritances since. She was the cause of marriage breakdown.

My ex-wife had agreed to terms with me as stated on petition, but she neglected the most important one to me! My access to my son. She has remarried, moved out of the province somewhere and refuses to even tell me her new name, let alone see or even let me know how my son is.

Wife does not receive the money I pay the court nor does she want it.

Due to lack of funds. My financial responsibilities are to my present family and not to my ex-wife.

Because she has been living with other males at different times and I don't believe I should have to support them.

She took off out of the province and I don't know where my child is.

Not allowed to see children.

Refer to 33 also never see children as to involvement causes never ending problems within me, her, her husband, her mother etc. I'm going to stay away and I'm not paying a dime.

I feel my ex-wife got more than her share and she was always working full time, now she only works part time because she no longer needs more.

My wife walked out on me. I did not force to leave so I will not pay support.

Not interested.

Have not been working and if I was I probably could not afford to pay the full $200 every month plus can't see my kids.

In 1970-71 the above questions only applies because I was unemployed from 1970-71.

Illness and/or lack of work. Attended Sait two months per year to complete Journeymans Carpenter program.

Maintenance payents were suspended by me for a brief period when my ex-wife denied me access to my daughter. They resumed again after a Family Court hearing.

Not allowed to know where my kids are. Even while I was paying so that's why I quit.

All children no longer live at home and all are working, etc.

The payment of money may fall upon a period in which there is an increase of cash pay outs.

APPENDIX D

General Comments

My ex-wife has only one child, a daughter in her custody. This daughter was five years of age at the time of divorce. I have three sons in my custody, ages at time of divorce were 14, 13 and 10. There was also an older son in our family, age 15. At age 16 he was permitted to leave home.

At the time of our separation my wife was having relationship with another man. At the divorce trial she admitted adultery.

It is my personal belief (at that time) that this was unforgivable and in fact I still believe so. My belief followed the train of a family unit without any variance whatsoever. There is not a trauma as demoralizing to anyone as the disintegration of a family.

My wife in our 16½ years of marriage never worked outside the home with the exception of the last three or four months. Our communications eroded to nil in those last three or four months. In today's world it cannot be said, "Home is where the mother is at". The successful woman today is not looked at as a wife, a homemaker or a mother, but as a competitor in some other walk of life. The mother and housewife of the past was more a professional than any other possible position today. In fact, they were professionals in a great number of fields. They were cooks, seamstresses, homemakers, gardeners, cleaning ladies, nurses, counsellors and on and on. However, todays world has taken this away from women and the result shows up in broken families and divorce courts. There remains no pride nor satisfaction in being professionals in the home.

It is my personal feeling also, I will not ever marry again. In July of 1961 we were married simply by having a few blood tests and buying a marriage licence. In 1978 the court of the nation bears down on us, shreading every possible gain we could have made. It seems utterly ridiculous the church marries them or the J.P. and the courts divorce them.

Trusting this will be of some value in your study and research. Thanking you.

I hope that this is the last I see of this type of questionnaire.

Since ex-wife is remarried, not feel she needs the child support. I think her present husband should be responsible.

The children were abandoned by their mother to the care of their maternal grandmother. Since then I have taken and lost two custody proceedings. I have been denied access to the children in the past and particularly since 1973. Since the death of my mother in 1975, the three children inherited over $100,000.00 between them. There are two payments remaining on the youngest child before he reaches the age of majority. I may not be able to recognize him because I have not seen him since 1974.

As I stated, my ex-wife was three months pregnant when I first met her, we had the child and the child and myself became very close through the three years we lived together. That final year we lived together my ex-wife had left me two previous times, staying away for as long as a week at a time. The third time she left I was working on the oil rigs and sent to northern Alberta before she returned. I agreed to send support money for the child voluntary, and did send $50 to $100 a month. When the rig shut down and I returned to visit the child, I was totally upset. The child was stuck out on the farm with its grandparents wearing hardly nothing more than rags, running nose and about as dirty as one of the pigs in the pen. My ex-wife was in town sitting in the local hotel having a good time. At that time I refused to pay support money voluntary, as I believed the child was receiving none of it for its needs. I visited the child fairly regular for a couple of months after that, but the partings extremely difficult for both of us. I decided then that it might be better to cut out all visiting, rather than have the child getting its hopes up of when I could return (working on the rigs you have no regular days off), and the breaking up when I had to leave. As for maintenance payments I don't really know, when my ex-wife left me we were about $5000 in debt and nothing to show for it. It took close to two years for me and my present wife to pay the debts off. Sometimes I feel maintenance payments - if too high are worse than a jail sentence. If you remarry and are struggling to support one family and have to pay support money for another family, this is doing nothing but making your present wife and family pay for a mistake you made in the past.

My lawyer Linda Gaudet in Calgary is in the process of trying to get my ex-wife to sign to sell the house or go to court to see if the Judge will say to sell the house. All the kids are married or common law.

Most of the maintenance questions do not apply to me - because I bought half of our business from her, and thus am paying her that way.

More time should be spent as to who I should get custody of the children also visiting rights should be enforced the same as payments.

I feel courts don't take the time to ensure proper orders are issued satisfactory to both parties. Should she refuse to comply with order I should not have to pay for those dates access was refused. Persons with far greater incomes than mine pay less. No maintenance should be made to her when house and belongings turned over to her. Orders are difficult for police to act on without further documentation causing lengthy delays in obtaining custody for period prescribed - by then its too late. I feel court took advantage of my position.

I believe the partner being sued for divorce should be informed of the court date and child custody hearings by the lawyer or by the courts.

My present wife's ex-spouse has not made any maintenance payments for some time. The courts should be more strict on the matter of delinquent payments i.e. contempt of court charges.

My wife has been pushing for an increase in my payments. My payments would be on time and in full if I could afford it and were able to live my life without her persistance of money.

Currently making up to date payments including arrears on a monthly basis (since Feb/79 to now). Have not seen children since divorce based on agreement with ex-wife (verbal) that if I didn't use visiting privileges then she wouldn't press to enforce maintenance order. Agreed upon but she didn't keep her end of bargain.

My ex-wife wants to have her cake and eat it. I feel I have a right to a house and home for my family. I built my house with own hands because I could not afford to buy one.

I think the laws need a lot of correcting as to who is left with bills, not signed by wife. But she is still able to receive half of all you have this cost me my home and dignity as she caused the bankruptcy with the law on her side.

The Alberta Welfare Department should ensure that an ex-spouse is doing everything within capability to support themselves rather than depend on Government funds. There is no difference from them and a married couple trying to make ends meet. It is odd that women do not ask for "equal rights" when it comes to Divorce Court.

What for? Nothing helps.

The courts should take time to find out why payments are not made, before making judgment and court orders. The defendant may have very good reason for not paying, but can't explain in court because their mind has already been made up, that person is guilty.

If I were to start paying my wife would not let me see my children anyway and when I do get to see them its always on her terms. I never get to take them by myself after all they are half mine.

I know I wasn't in the wrong and she turned on me and had me thrown out. But I did have a few chances to throw her out when she was running around. But I'm not that sort of a person. So her lawyer helped her out well, and I foot the bill. That is justice!

Three out of the four children are married and the youngest is grown. She is supported by welfare and common law husband therefore I see no reason why I should still pay. She is a hairdresser and could make a fair living, but would rather sit and collect the money.

I feel I have not defaulted in any way and nobody seems to care about how I justify why I don't make my maintenance payments. My reason is simple and very important to me. No access, no payment! At such time I regain access I would gladly resume my payments. I have thought about a trust account in my sons name to possibly pay my payments into it in the meantime, this way I know he will receive it someday. I was ordered to pay maintenance for my child I don't know where he is! DO YOU??

POOR

QUALITY

ORIGINAL